ol. XCV, No. 1 July, 1936

The Ecclesiastical Review

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Monthly Publication for the Clergy
Cum Approbatione Superiorum

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PUBLISHED BY BOARD OF TRUSTEES
OF THE
AMERICAN ECCLESIASTICAL REVIEW
FOR
THE CATHOLIC UNIVERSITY OF AMERICA

1722 Arch Street
PHILADELPHIA

Copyright, 1936. American Ecclesiastical Review

Subscription Price: United States and Canada, $4.00—Foreign Postage, $1.00 additional
Agents { Great Britain: Burns, Oates & Washbourne, Ltd., 43 Newgate St., London, E. C. 1, England
Ireland: Veritas Company, Ltd., 7 & 8 Lower Abbey St., Dublin
Australia: W. P. Linehan, 244 Elizabeth Street, Melbourne, C. 1.
Entered, 2 July, 1904, as Second Class Matter, Post Office at Lancaster, Pa., under Act of 3 March, 1879
March 5, 1930, under Act of February 28, 1925. Published at 113 E. Chestnut Street, Lancaster, Pa.

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THE ECCLESIASTICAL REVIEW

Tenth Series.—Vol. V.—(XCV).—July, 1936.—No. 1.

WANTED: THE "OUR FATHER" IN A UNIQUE FORM.

THE title of this paper will tolerate a prefatory word of explanation. What, for instance, is meant by the word "wanted"? In a letter to the Editor of the Review, the Rev. Stephen Duren pointed out many variants in the forms of the Lord's Prayer and expressed a strong desire for a single form to be used by all English-speaking Catholics. What is meant by the word "unique"? Fr. Duren did not employ the word, but used carefully selected phraseology ("authoritative, authentic, approved-by-the-Church rendition in the English language") whose general import I have tried to imply by the word "unique" in order merely to shorten the title of the paper. The letter began as follows:

> If you please, can you, through the Review, inform us whether there is any authoritative, authentic, approved-by-the-Church rendition in the English language of the Lord's Prayer, and what it is?
>
> Upon critical examination of a number of "approved" prayer books, of catechisms and of Bibles, no two have been found that render the Lord's Prayer (the Our Father) in the same, exact, identical wording, capitalizing and punctuation.

The letter proceeds to argue the question thus mooted. Although it does this in a clear and concise fashion, it nevertheless is a long letter—perhaps rather too long to print in its exact fulness and to *repeat* in *sections* in a sufficiently comprehensive commentary. Before submitting the letter to specialists in Biblical science for such a commentary, the Editor may have deemed it a happy thought to get, first of all, the reaction of ordinary priests—and so he sent the letter to me for comment. If such a reaction should prove feeble and uninterested, the help of experts might well be considered superfluous, since it is the ordinary priest who will confront the difficulties alluded to by Fr. Duren. It so happens, however, that my reaction is one of high and pleased interest. But my interest leads me to quote forthwith a paragraph near the close of the letter, because that paragraph contains a startling illustration of the need under which preachers and catechists lie in respect of a single, a " unique " form. Let me therefore quote the paragraph together with the preceding one which calls attention to the importance of some " little things ":

> These seemingly little things are of greater importance and more far-reaching in practical life than many are willing to admit, but as those of us know well who have had more than fifty years of experience in the care of souls: e. g., here is a concrete, very sad case, which should not be passed up as " isolated ".
>
> A school-girl of 12 years was asked by the pastor to recite the Lord's Prayer. She did so very nicely. But he objected to " them that " and told her to learn it better. She and the family at home looked it up very carefully in her prayer book, which proved her to be correct. Next day the pastor again asked her to recite the Lord's Prayer. She did so in the same manner as she had done on the previous day. He became enraged. She tried to explain. He would not listen, but beat her up. She then and there resolved to abandon the Catholic Church and all religion as soon as she would be grown up. And she did. And neither her husband nor any of her five children practise any religion.

I. " THEM THAT ".

My readers may naturally wonder why " them that " should have " enraged " the pastor, even as the red cloth enrages the bull in the Spanish amphitheatres. " He became enraged," writes Fr. Duren, who had previously pointed out no less than four different ways in which the Fifth Petition of the Lord's Prayer is expressed in English books:

> 1. There is in them: " . . . forgive ' them that ' trespass, ' them who ', ' those that ', ' those who ' . . . ".
>
> They may all be defended as grammatically correct. That is not the point. The plea is for uniformity in print and sound.

After visiting several churches at times of public prayers, e. g., Stations, all those unharmonious words could be heard.

2. Some *capitalize* " Who " after Father, others do not, but capitalize " Thy "; others do not.

3. Punctuation differs so widely that it would take an entire page to annotate the variations, some of which may be defended by the rules of the art of correct punctuation, while others seem utterly out of place.

What is here said under paragraphs 2 and 3 is offensive to the eye only. What is said under 1 causes dissonance to the ear and is utterly unworthy of this prayer.

Some one should set a movement in motion to eliminate all objections of every nature of these defects.

It is quite probable that the pastor who was " enraged " by " them that " was wholly unaware that any other words than those with which he himself was familiar were used in the Fifth Petition. Father Duren scores a " hit " by giving the four varying phraseologies in that Petition. Other pastors and catechists might well be advised of the variations. Meanwhile, however, it is also possible that the pastor may have become incensed at what he might consider as youthful obstinacy in not deferring to a pastor's will in respect of the " uniformity " he desired in his own parish. Howbeit, a sad sort of humor creeps out of the incident of the " beating up " of the little girl, in view of the very lesson contained in the Fifth Petition—the lesson of Forgiveness of them that *trespass against us.*[1]

II. " HALLOWED ".

After suggesting that competent scholars should undertake the issuance of a good rendering of the Lord's Prayer into English, Fr. Duren writes:

And while they are at it, might they not effect a replacement of the old English, almost obsolete, to most people unintelligible, " hallowed " by " sanctified "? Our Lord did not use any such hard-to-be-understood, mystify word in this prayer; and any such word that is difficult to [understand] and not in use by the common people, is unworthy of the Lord's Prayer.

---

[1] This is an appropriate place to quote the two closing paragraphs of Fr. Duren's letter which comment upon the beating up of the school girl:

"There has been and still is too much of this beating up by Catholic pastors and Catholic Sister-school teachers of school children. They want to pound religion into them. But it has the opposite effect. The usual result is that all religion is knocked out of them. I could cite many cases that came under my observation. I never knew of any that came back.

"Such pastors and Sisters, that administer severe corporal punishment to children, ought to be dealt with according to law, arrested, brought into court and punished."

Apropos of this suggestion of "sanctified" in place of "hallowed" (as an English rendering of the "sanctificetur" of the Latin) it may be interesting to note that I find, in *The English in English Bibles* by Fr. J. F. Sheahan, the word "sanctified" employed by the "Rhemes, 1582," changed to "hallowed" in the Authorized Version, 1611, and retained in the Revised Version, 1881 (cf. page 39). I am not scholar enough to know when the Catholic Bible adopted the "hallowed" to replace the "sanctified" of the Rheims version. The long word, "sanctified," may be quite as unintelligible as "hallowed" to young folk. Perhaps the clarification of the idea by a shorter word, "holy," would be less unintelligible than "sanctified," since "holy" occurs in the Magnificat ("And holy is His name") and is thus often heard. Apropos of this, in *The Catechist in the Infant School . . .*, by Fr. Nolle, O.S.B., I find, in the section dealing with the "Our Father": "God is holy. We must keep His name holy, because it is holy" (page 29). "Hallowed" is, I think, unquestionably hard to understand.[2] One comical illustration of the "hallowed" was given, some time since, in *The Journal of Religious Instruction.* One of the boys who had to write the "Our Father" in an examination gave the First Petition as "Hell be thy name".[3] The proposed correctors of the Lord's Prayer will have their hands full.

The letter of Fr. Duren alludes to four things that should be attended to in the desired revision of the Lord's Prayer: 1. a reduction of the four terms ("them that", "them who", "those that", "those who") to a single term; 2. the replacement of "hallowed" by an easily understood word; 3. a definite use of capitalization; 4. a correct but prescribed single kind of punctuation. The things referred to in nos. 3 and 4 will offend only the sense of sight, and are less important than those mentioned in nos. 1 and 2, which offend against the sense of hearing and thus are especially unharmonious and universally disturbing. If a committee of scholars should recommend, and the proper authorities in Rome should formally prescribe, a new and unique form of the Lord's Prayer for English-speaking Catholics, we should still confront the possibility of printers' errors and of continuing forgetfulness of Catholic writers, not to speak of the scarcely avoidable disharmony our eyes and ears must confront when we see so often in print, and hear so often "over the radio" (both in addresses and in the singing of the Lord's Prayer) the form of the Lord's Prayer which, save for the concluding words, is now common—or largely so—both to Catholics and to our separated brethren of all denominations. The desired "new form" for Catholics could insensibly be changed through the means of such contacts of eyes and ears with the prevailing "common" form in use at present. Let me illustrate.

---

[2] In *The Lord's Prayer: A Course of Lenten Sermons* (New York, 1935), I devoted much space (pp. 21-22) to several uses of the word "hallow" which might assist my hearers both in understanding and in remembering the meaning of the word.

[3] Archbishop Ryan told me that he once heard a pious but illiterate old lady devoutly saying, "He will send us into hell" for "He descended into hell" in the Apostles' Creed. She had learned it only by hearing it pronounced in a slovenly fashion (probably by the priest reciting it in the Rosary in church).

Whilst engaged upon this present paper, I came upon an answer, in a carefully edited Catholic monthly, to the question: "Why is the Protestant version of the Lord's Prayer longer than the Catholic version?" The answer given is: "To the Lord's Prayer, as printed in this issue,[4] Protestants add the following words: 'For thine is the kingdom and the power and the glory forever. Amen." My mind forthwith declared the answer wrong in its lack of rhythm (a rhythm that sang in my brain from having often read or heard the exact formula, which adds "and ever" to the "forever" before attaining to the "Amen". I consulted *The Book of Common Prayer* of the P. E. Church in the United States[5] and found that the closing words are: "forever *and ever*. Amen." Thus do various associations in modern life play tricks with our memories.

III. "TRESPASSES".

If the word "hallowed" be considered so obsolete (or at least so unusual) as to cause bewilderment to most people, hardly less so is the word "trespasses," although Fr. Duren passes it over without comment. Ordinary folk will be apt to associate the word with the sign: "No Trespassing"—a sign which many good people will wholly disregard if there be no danger of discovery. Better educated people may be aware of the polite formula, "May I trespass on your patience" (or your leisure, or your kindness), which ordinarily suits the action to the word without waiting for a granted permission. Perhaps very few will think of "trespassing" as a *sin,* whether in legal or in polite circles.

---

[4] The Catholic form as given in the magazine uses "those who" (not "them that", "them who", or "those that") and agrees in this way completely with the Protestant form of the Lord's Prayer, except for the usual closing formula: ("For thine is the kingdom", etc.).

[5] Oxford: The University Press, 1875.

The Latin of the Fifth Petition employs "debita nostra" and "debitoribus nostris". The Rheims Version translates these expressions with great apparent literalness, "our debts" and "our debtors". The Authorised Version and its Revised Version do likewise. But "debts," somewhat like "trespasses", has a legalistic tone that does not necessarily imply sinfulness in a moral sense. Our Challoner's revision uses "debts" and "debtors". But verse 14 (which follows almost immediately after) uses the easily understood word "offences" as a rendering for both *peccata* and *delicta* in the Latin text. But both the A. V. and the R. V. use the word "trespasses". Meanwhile, St. Luke's text for this Petition (11: 4) uses *peccata* in the first half ("Et dimitte nobis peccata nostra") and *debenti nobis* ("Siquidem et ipsi dimittimus omni debenti nobis"). And Challoner faithfully gives us: "And forgive us our sins, for we also forgive every one that is indebted to us." It is here—and not in the text of St. Matthew (which is represented in our English Lord's Prayer)—that we come upon the really easily intelligible word "sins". The A. V., the R. V., and Challoner, agree in the English rendering of St. Luke's verse. Canon Farrar's commentary in St. Luke remarks on the word "sins": "'Trespasses' is not in our Bible, but comes, as Dr. Plumptre notices, from Tyndale's version." And that is whence (in a way that Biblical scholars may explain to us) Catholics get the curious word "trespasses"! Why do we not use the more easily understood word "offences" or the still more easily understood word "sins" in the "Our Father"? It is of "sins," and not of "trespasses" or "debts," that our good people ought to think when reciting the "Our Father". But now let us resume the argument or the suggestion of Fr. Duren.

IV. "A MOVEMENT".

"Some one," wrote Fr. Duren, "should set a movement in motion to eliminate all objections [to things found in our English *Lord's Prayer*] of every nature of these defects," and he continues:

> Some opine that it would be very proper for the Catholic University of Washington to set this movement on foot and make a success of it in obtaining from the proper authority in Rome a declaration that would set aside all choice of those vexatious differences.
>
> There should be a *valid reason* given for every statement, in order to make a success of it and a better job than was made of the intended "authoritative" Baltimore Catechism, which made a bad case worse.
>
> Such work should be done by men who know well, not by men who merely mean well.
>
> No opionionating will produce the desirable results. It has brought about this disgusting disharmony.

Something like this suggestion was actually put into effect by the committee of Biblical scholars, in England and in the United States, which produced the Revised Verson of the King James (or "Authorised") Version. They gave reasons for the alterations they made in the A. V., as Fr. Duren would have a committee revising the Lord's Prayer do. They could not do another thing which he suggests, namely, solicit and obtain a declaration from such an authority as Rome outlawing all other versions; and the result was that several individual revisions of the A. V. have been made—either revisions or (better stated, I suppose) entire original translations of the Bible in order to make the old-time phraseology more intelligible and better adapted to present-day facts and usages.

No doubt, Rome *could* prescribe a unique form for our English version of the "Our Father" and have it universally accepted by editors and publishers.

It has done that with the Breviary (in a general way) and also with the plainsong melodies to be used in divine services. Whether it *would* do so for the Lord's Prayer might, I suppose, depend on quite a number of somewhat important problems that must be solved equitably and reasonably—such, for instance, as the immense output of books which contain the slight variations, in different fashion, noted by Fr. Duren. Should a stroke of of the pen destroy an immense literature merely because one prayer—and a very short one—is to have some slight changes made in it? Such changes, too, as punctuation and capitalization? Fashions in punctuation and capitalization change subtly with the tide of the years. The two difficulties cited by Fr. Duren (namely, the word " hallowed " and the phrases " them that ", " them who ", " those that " and " those who ") are, after all, correct enough, grammatically as well as theologically. Must innumerable volumes go into the discard in order to satisfy an exigent taste for uniformity?

If Rome should deem it desirable to effect such a uniformity, it could do so with least practical difficulty by adopting either of two ways. The Vatican Edition of the plainsong melodies was made obligatory, but a somewhat indefinite time was allowed for the introduction of the new volumes and the gradual elimination of the previously used editions (largely those of Ratisbon). Similarly, the innumerable prayer books and English missals and catechisms now in use could be allowed a term of years which would elapse before publishers must adopt the newly prescribed form of the " Our Father." This would perhaps be one solution. A solution which would preferably recommend itself to my way of thinking would be to make obligatory the particular text which is found in most catechisms, prayer books, and missals, and thus limit greatly the expense and trouble involved in the change. I think that text is the one which uses the phrase " them that " in the Fifth Petition.

It may be that the pastor who " beat up " the twelve-year old school girl for using the words " them that " would have an apoplectic fit on reading my suggestion. But " them that " is not a grammatically faulty collocation—although to an uninformed mind it might seem " vulgar ". Fr. Duren pointed out that it is grammatically correct. But let me point out that it seems to be the form preferably acceptable to the highest culture of England and America. Thus I find it in the following books:

1. *The Roman Breviary* as rendered into English by the Marquess of Bute.
2. *The Day Hours of the Church.* Now put forth according to to the reforms of Pope Pius X with a parallel English version

edited by the Benedictine Nuns . . . at Stanbrook in Worcestershire with . . . the Imprimatur of H. E. the Cardinal Archbishop of Westminster (1916).

3. *Liturgical Prayer Book*—Mass, Vespers, Ritual, compiled under the direction of the Rt. Rev. Dom F. Cabrol, O.S.B.
4. *My Missal, A New Explanatory Missal* . . . with an Introduction and liturgical Notes by the Rt. Rev. Dom Fernan Cabrol, O.S.B.
5. *The Small Missal* (Macmillan Co.).
6. *Mannock's Catechism* (first printed in 1752), London, s. d.
7. *The Catechism Simply Explained*, by H. Canon Cafferata (London and Oxford).
8. *Notes on Christian Doctrine*, by the Rt. Rev. Edw. Bagshawe, D.D., Bishop of Nottingham (London, 1896).
9. *The Catechism, or Christian Doctrine by way of Question and* Answer (London, 1843).

These volumes represent the high Catholic culture of England. The following volumes may be similarly taken to represent the high Catholic culture of America:

1. *The Mass Every Day in the Year.* The Roman Missal translated and arranged by (the Rt. Rev. Msgr.) Edward A. Pace and (the Rev.) John Wynne, S.J. (New York, 1916).
2. *The New Missal for Every Day.* . . . By Rev. F. X. Lasance (New York, 1924).
3. *The Catholic Catechism by Peter Cardinal Gasparri* (English translation, New York, 1932).

All of these twelve books have " them that ". The following books have " those who ":

1. *The Book of Common Prayer* . . . according to the use of the Protestant Episcopal Church in the United States of America (Oxford, 1875).
2. *The Monastic Diurnal* (printed at Oxford, but edited by Canon Winfred Douglas, of Fond du Lac, who is—as the title of the volume suggests—a ritualistic Anglican).
3. *The Baltimore Catechism.*
4. *Catechism of Christian Doctrine*, by the Christian Brothers.
5. *Graded Catechism*, by the Rev. Dr. Jehlicka.
6. *Catechism for the Catholic Parochial Schools of the United States* by the Rev. W. Faerber (St. Louis, Mo.).
7. *My Mass Book* by the Sisters, Servants of the Immaculate Heart of Mary (New York, 1929).

The following books have " them who ":

1. *A Companion to the Catechism*, etc. (Second Edition, Dublin, 1887). Its Preface declares: " The Catechism, ordered by the National Synod of Maynooth and approved by the Hierarchy of Ireland, is given in its entirety in the following pages." It may therefore be said to represent the preferable phraseology of the Church in Ireland.
2. *Catechism of Christian Doctrine* . . . by the Rev. James Gleeson, C.S.C. (New York, 1879).

I happen to possess one book, published in Ireland subsequently to the one (*A Companion to the Catechism*) which used the text of a catechism approved by the Hierarchy of Ireland, and which I have noted above. It is entitled *Manual of Christian Doctrine* . . . by the Rev. Thomas M'Cotter, M.A., and was issued in Ireland; but nevertheless it differs from the previously accepted text (" them who ") by giving us " those that ". A National Synod issued, and the Irish Hierarchy approved, a catechism using " them who," but a subsequent book nevertheless used " those that ". It would seem difficult to attain to uniformity in phrasing the Lord's Prayer.

It is proper for me to admit that, throughout this whole paper, I have been using only such books as I chanced to find in my own limited library, and that my search for illustrative material has been therefore but rather a casual one. It cannot pretend to adequacy in settling the question of preference among the variations: " them that," " them who," " those that," " those who ". But such as it is, it seems to indicate a strong array of preference for " them that ". This preference is, however, well buttressed by the preferential form, " them that," in the Catholic New Testament as revised by Bishop Challoner. For instance, I find there:

1. The Son of man shall send his angels, and they shall gather out of his kingdom all scandals, and *them that* work iniquity (Matt. 13: 41).
2. To preach deliverance . . . to set at liberty *them that* are bruised. . . . (Luke, 4: 19).
3. And entering into the temple, he began to cast out *them that* sold therein, and *them that* bought (Luke, 19: 45).

4. And I said: Lord, they know that I cast into prison, and beat in every synagogue, *them that* believed in thee (Acts, 22: 19).
5. For what have I to do to judge *them that* are without? Do not you judge *them that* are within? (1 Cor. 5: 12).
6. For *them that* are without, God will judge (1 Cor. 5: 13).
7. For they have refreshed both my spirit and yours. Know *them*, therefore, *that* are such (1 Cor. 16: 18).
8. Now charge *them that* are such . . . (2 Thess. 3: 12).

It might prove tedious to cite illustrations further by text. Let me then merely refer the reader to 1 Tim. 4:16, 5:20; Heb. 10:4, 13:3; 1 Peter. 4:19; Apoc. 11:1, 13:6.

Meanwhile, we also find " those that ", e.g.: Luke, 7:28; " them who ", Heb. 5:14. But the great preponderance is given to " them that ".

Clearly, " them that " is very wrongly looked upon as a bit vulgar, even if gramatically correct. It is not vulgar; it is virile. In the Lord's Prayer, it seems to give added emphasis, merely in its sound, to the strong warning and implication of the Fifth Petition.

Nothing would be commercially lost by retaining the " them that," and comparatively little would be lost by making the " them that " exclusively usable.

In the present paper, I have given all of Fr. Duren's letter (to the Editor of the REVIEW), although I must present my apologies to an octogenarian priest (who may have " started something " in his zeal for uniformity in the wording, capitalization and punctuation of the Lord's Prayer) for venturing to rearrange his paragraphs for my own purposes as a commentator upon that letter. A septuagenarian priest bows to an octogenarian priest.

H. T. HENRY.

The Catholic University of America.

IZAAK WALTON, D.D.

FULL MANY A SPORT has been and is graced by the active participation and the passive, but profound, interest of the clergy. Baseball, golf, mountain climbing, swimming, handball, racing, sailing — the catalogue covers practically every sport known to present and past history. In our own country perhaps the palm for active popularity with the clergy must go to golf, whereas baseball would probably take the medal for arousing most passive interest. Even such passive interest, though, generally constitutes evidence for an active interest in the past. A few years on the mission usually causes the batting eye to deteriorate and the running form to evaporate; but many a sedate clergyman has been a good baseball player in his day.

Sometimes these sportive activities of the clergy give rise to more or less scandal. Certain serious-minded people, for instance, are somewhat shocked to come upon their revered pastor at a baseball game, throwing his hat into the air, or shouting vehemently, " Kill the umpire! " Others find themselves slightly surprised to meet with their curate on the golf course and gaze upon an ensemble of voluminous " slacks," silk shirt, checkered cap and plaid tie. Still others experience a sense of disillusion upon beholding his reverence exposed to profane glances in the scantiness of a modern bathing suit.

But these are minor details, shocking more to the *pusilli* of the flock than to the robust of faith. Sometimes, however, matters have become actually notorious and have produced episcopal censure: as in the case of clergymen being too much in evidence at race tracks.

These and similar facts are not brought to mind here to disparage any of the respective sports. The latter are all good in their way, and *de gustibus . . .* But however excellent these various pastimes may be in themselves, and however irreprehensible it may be for the clergy to take part in them or be interested in them, there is one sport that, far from placing the clergy under even a trace of a cloud, is most admirably suited to them, naturally, historically and religiously.

That sport is fishing. And that sport is egregiously trout fishing with a fly. Never has casting the elusive fly for trout been the occasion of the least breath of scandal with respect to its clerical devotees. Although any kind of fishing: trolling, bait casting, still fishing, plug casting; fresh water or salt water fishing; fishing for bass, or muskellunge, or pike, or marlin, or namaycush, or sword fish: although any of these various kinds of fishing adorns the life of a clergyman and is a jewel scintillating in the crown of his accomplishments, yet trout fishing is beyond a doubt a towering patriarch among the minor clergy of the different sorts of fishing; and in what follows all laudatory references, unless otherwise specified, are to be understood as applying especially to this most regal of piscatorial activities.

Let us note parenthetically that to outsiders " fishing " means sitting down patiently in one spot, soaking a line to which is attached a live bait, as a worm or a frog, and waiting for the fish to bite. Alas, what a libel on the king of sports! To the esoteric fishing means constant traveling about, either on foot or by boat, and placing an artificial lure near some spot where the fish is slyly hiding or openly disporting. The real art of fishing means to simulate nature so as to utterly fool the fish, to use light tackle that affords every means of escape and calls for all possible skill and caution on the part of the angler. Catching fish in one spot with live bait placed on tackle that would lift a house—this is sport of a kind, indeed; but such a performance compared with real fishing is as the first grade catechism to the *Summa Theologica.*

But why linger on this point? Many an abler and nobler pen has vindicated the supremacy of fishing with a fly over all other forms of the " gentle art." The task immediately before us is to investigate into the most particular, and even astounding appropriateness of fishing in the life of a clergyman.

And first: fishing is symbolical of the whole clerical life itself. The Christian clergyman is a " fisher of men ". If he fishes from a boat, he is perfectly at home, for he is in a *navis*, a nave, a church. The boat, further, brings to him thoughts of the various occasions upon which his Blessed Lord entered a boat, slept in a boat, preached from a boat and the like. If, on the other hand, he follows up a stream and seeks his sport through smiling fields and blooming meadows, the running water beneath his feet will remind him of the saving waters of Baptism and the healing streams of Penance, whilst a glance about him will arouse reflexions on pastures, and lambs, and sheep, and the " flowers of the field," and similar elements in the parables and discourses of the Divine Teacher. The net lying at the bottom of the boat or dangling at his side will recall the fact that " the kingdom of heaven is like to a net cast into the sea . . . " (Matt. 13: 47). And when he has the good luck finally to bring his quarry *to* that net and take it up in his hand—there, glistening and gleaming in the sunlight is the very symbol of Christ and Christianity itself: the Greek *Ichthus*, the fish, whose letters formed the first letters of the Greek words for *Jesus Christ, Son of God, Saviour.*

Say, ye devotees of golf, where will a niblick remind the priest of his Lord? Or ye devotees of baseball, when will a home run recall to the mind of the reverend spectator the scene of his sacred duties? Or ye devotees of football, when will a forward pass bring to the clerical memory a recollection of Baptism? In this respect of real appropriateness all other sports must fade away into insignificance when compared with the truly Christian pastime of fishing.

One might place further insistence upon this point and begin to enumerate the multitudinous occasions upon which fish and fishing are mentioned in the Book of Books, the very center of the clerical life, and especially in the New Testament, in connexion with our Blessed Savior. But such an enumeration would lead us too far afield, and would be more appropriate to a treatise on the excellence of fishing from a general Christian standpoint. The scope of such references here will be limited to fishing as connected with the spiritual leaders of the people in both testaments.

That excellent Christian and expert fisherman, Izaak Walton, of whom more anon, read his bible to some purpose: for he remarks: " . . . it may be probably concluded that Moses, who, I told you before, writ the book of Job, and the prophet Amos, who was a shepherd, were both anglers: for you shall in all the Old Testament find fish hooks, I think, but twice mentioned; namely, by meek Moses, the friend of God, and by the humble prophet Amos."

The major of this argument is that writers, also in holy writ, will naturally use metaphors and similes suggested by former practices and activities: a perfectly valid supposition.

Walton goes on in his inimitable way: " Concerning this last, namely, the Prophet Amos, I shall make but this observation,—that he that shall read the humble, lowly, plain style of that prophet, and compare it with the high, glorious, eloquent style of the prophet Isaiah, though they be both equally true, may easily believe Amos to be, not only a shepherd, but a good-natured, plain fisherman. Which I do the rather believe by comparing the affectionate, loving, lowly, humble Epistles of St. Peter, St. James and St. John, whom we know were all Fishers, with the glorious language and high metaphors of St. Paul, who we may believe was not."

The passages upon which the above remarks rest are the following.

Job, 41: 1. " Canst thou draw out leviathan with a fish hook?

2. " Canst thou put a rope into his nose
" Or pierce his jaw through with a hook?
7. " Canst thou fill his skin with barbed irons
" Or his head with fish-spears? "

Amos, 4: 2. " The Lord Jehovah hath sworn by his holiness that, lo, the days shall come upon you, that they shall take you away with hooks, and your residue with fish-hooks."

These quotations, unedifying to relate, are from the Authorized Version. The Douai Version does not once mention fish hooks in the corresponding passages. To the Catholic fisherman this might constitute a new argument for a revision of our Douai Version. It is plainly a faulty translation which has the opportunity of proving Moses and Amos fishermen, and then fails to do so.

On the other hand, that Moses wrote the book of Job is by no means certain; since many say it is to be ascribed to the times of Solomon, or later. But aside from this, one can find nothing incongruous in the idea of Moses having been a fisherman.

But one may enlarge upon Walton's reasoning. What is improper with Job himself having been a fisherman? Being a wealthy man whose possessions consisted largely of flocks and herds, he possessed much fertile land upon which to graze his cattle; and fertile grazing land must have rivers and streams and brooks passing through it. It is therefore hard to conceive how the great herder, Job, could have been unfamiliar with running water and its finny denizens. Further, the patience of Job has been the wonder of the world. Now, no activity calls more for patience, and long suffering, and persistence than fishing.

Consequently, if Moses is not proved to be the author of the Book of Job, and so a fisherman, the Christian angler need not be disturbed. Job himself in all probability sauntered off once a week or so and brought home regularly a brace of luscious trout. And one can well surmise that a merciful and sympathetic Yahweh included in the double prosperity that came to Job as a reward of his goodness many a catch twice and thrice as large as usual.

As for Amos, the fact that he was a shepherd or herdsman again lends verisimilitude to the supposition that he was a fisherman. It is to be feared, however, that Walton's argument from the internal style of Amos does not hang together with the rest of his ratiocination as applied to Isaias. Walton finds the style of the later too " high, glorious, eloquent," to fit in with the character of a " good-natured, plain fisherman," as we have seen. Yet, if mentioning fishes and fish hooks means anything, Isaias certainly must be considered as a possible member of the angling fraternity. " The fishers also shall mourn, and all that cast a hook into the river shall lament, and they that spread nets upon the waters shall languish away " (Is., 19: 8). A man who will pick out as an element in the punishment of a nation that " the channel of the river shall be laid bare from its fountain " (v. 7), and will then describe the resultant grief and languishing away of fishermen as in the passage just quoted, must surely have been a fisherman himself. It is only the devotee of angling who keeps a most particular eye on the height of streams during warm weather, and a drought is to him the gravest kind of calamity.

Further, it seems necessary to deny flatly that the " high, glorious, eloquent " speech of Isaias would be unsuited to a " plain fisherman." It is to be feared that good Father Izaak, in his zeal to claim Amos for the noble profession of angling, unconsciously disparaged the most benign of sports. Fishing merely purifies and refines whatever good qualities, be they simple or exalted, a man may possess. It is suited at once to the humblest gifts and the rarest talents: it raises up the peasant and adorns the king. Was St. Peter the less a fisherman because he was arduous, energetic, impulsive? But more of that anon.

Having thus improved upon the thoughts of Walton, we may venture to add something to them by claiming another spiritual leader of the Old Testament for the high company of fishermen: the obedient and providential figure of Noah. Noah must certainly have indulged in an occasional hour's fishing during those forty days and forty nights of rain, as also during the hundred and fifty days that " water prevailed upon the earth." Indeed, he was blessed during those days with ideal fishing weather, by all indications, and it is inconceivable that such a magnificent opportunity for fishing should have offered itself without being availed of. Even so: if Noah did not fish during the flood, he undoubtedly soaked a line or wetted a net afterward: for God told him, after blessing him, " All the fishes of the sea are delivered into your hands." This can be nothing but a figure of speech, meaning to say, " do some fishing now and then." Every good fisherman knows right well that fish are delivered into no man's hand, outside of a miracle, unless that hand be attached to a line or a net.

While on the subject of Noah, we may bring up something else which the beloved Walton, in his encomium upon the waters of the earth and the denizens thereof, does not seem to mention. This is the fact that fishes are the only creatures which did not feel God's wrath at the time of the flood. While all other living creatures failed and perished, the fish were literally in their element, and doubtless took much innocent pleasure out of cruising about among the trees and the mountains. To be specific: we read that Noah took into the ark " every beast . . . ," " all the cattle in their kind," " everything that moveth *upon the earth.*" But never once is it said that he took aboard fishes or had to build an aquarium. Similarly, God destroyed " all the substance that was upon the earth, from man even to beast, and the creeping things and the fowls of the air; and they were destroyed from the earth . . ." (Gen. 7: 23); but there is not a suggestion even that He destroyed the fishes of the seas and streams and lakes.

But this is digressing. Let us return to our proposition of fishing and spiritual leadership.

When we come to the New Testament, we find the relationship between these two things simply remarkable: so remarkable really as to become almost a portent.

Everybody knows, of course, that St. Peter, chief of the apostles and head of the Church, was a fisherman. Here is fact enough to justify of itself the statement that fishing is the most seemly sport which the Christian clergy could possibly pursue.

Pious old Izaak saw the immense significance of Peter's avocation for the whole brotherhood of anglers, and at the same time recalled an item in a long line of appropriate biblical incidents, when he placed on the plate-page of the first edition of "The Complete Angler" the following: "Simon Peter said, I go a fishing; and they said, we also go with thee . . . John, 21, 3."

The result of this expedition, it will be remembered, was a huge catch, enough to delight the heart of any fisherman. Alas! the rest of us, when fishing, cannot expect to have the Lord upon the banks, directing us where and how to fish: such was the blessed privilege of the apostles alone. "Simon Peter went up, and drew the net to land, full of great fishes, one hundred and fifty three." Even the number of this "haul" is preserved to posterity, and it has aroused some curious speculations, as may be seen in Cornelius a Lapide. Thus, St. Jerome says there are 153 species of fish, and Peter brought up in the net one of every species, thereby proving the Catholicity of his authority. St. Ambrose breaks up the figure into components: ten for the decalogue, seven for the sevenfold spirit of grace in the New Testament, three for the Trinity, etc., and then by processes of addition and multiplication gets the total of 153. Maldonatus makes the figure represent all the faithful in this manner: 100 stands for the married, 50 for the widows and the celibate and 3 for the virgins.

Whatever there may be about all this, the ordinary fisherman simply finds in the number 153 definite proof of a grand catch of fish, and, on reading the account of the Bible, feels a glow of pride that a brother fisherman who performed such a feat should have been at the same time the first of Christ's apostles and the head of His church.

And now, in the face of all this very material and conclusive indication of Peter's piscatorial abilities, comes a lady to try and make out a case for St. James as the most skilled apostolic fisherman. Says Helen Walker Homan in one of her "Letters to the Apostles," addressing the saint: "Many will disagree with me, and claim that Saint Peter was (the most skilled fisherman among the apostles)—but then they will be thinking of him in his capacity as 'fisher of men'; but when it came to being a fisher of fish, much as I like to see St. Peter a leader in everything, I must admit it's probable that you far surpassed him and your brother. The reason is obvious. You were the most silent of the three. Dear Saint Peter, the soul of impetuosity, seems to have been fairly talkative. No matter what the circumstances, he, at least, always had something to say. And while Saint John does not seem to have been nearly as loquacious, he too, on occasion, could speak his mind; and as he was a prolific writer (to which his Gospel, his Apoclaypse, and his three Epistles bear testimony) it is safe to infer that, like all writers, he did not have to be coaxed to talk. But you, present at all those astounding events most certainly evocative of comment, remained conspicuously silent. You left no writings behind you; the Epistle bearing the name of James came from the pen of the son of Alpheus. It would appear that you, of all men, knew how to keep your mouth closed."

Such argumentation is deplorable. It is plain to be seen that the lady is not a practical fisherman at all. She should don a pair of boots or pull at an oar for some years before becoming dogmatic on the matter of talking and fishing. Loquacity and "the contemplative man's recreation" are by no means mutually exclusive. One may talk by the hour and still catch fish. The sound waves in the air have no effect upon the fish in the water. But wave motions transmitted directly to the water are another thing: no good fisherman will stamp his feet on the boat bottom, or clamber clumsily along the banks of a stream.

Perhaps the essence of the argument is that fishermen, being much alone, do not tend to loquacity. This is also fallacious. Walton found so much to talk about in fishing that he needed a book to contain his thoughts—and in dialogue form, at that. Besides, have not fisherman an outlandish reputation for talking about their exploits, especially the "big one" that got away? Let two ardent fishermen but meet, indeed, and the conversation goes on by the hour, to the exclusion of every one and everything else.

To this one may add the observation that any number of writers, orators, actors have been and are fishermen. Fishing has a tendency to produce great and noble thoughts; and such thoughts will naturally seek expression either through the spoken or written word.

In short, there is no slightest reason to exalt James above Peter in the matter of piscatorial skill. As in jurisdiction, so also in fishery Peter held the primacy. The hundred and fifty-three fish are indisputable proof.

So intimately is Peter bound up with fishing that the fact has become the object of folklore. Tradition states that the fish which Peter hooked at the behest of the Master (Matt. 17: 26) and in whose mouth he found the stater for the payment of the tribute, was a haddock. This fish has two blackish shoulder-spots, and the spots are supposed to be the impression of the apostle's fingers, resulting from his grip of the fish when he extracted the stater from its mouth. If the tradition be correct, it adds further glory to the reputation of Peter as a fisherman. For he evidently took the haddock off the hook and returned it unharmed to the water, where it propagated other haddocks with two black shoulder-spots. In other words, Peter displayed the quintessence of sportsmanship by using the fish he caught only to the extent necessary: instead of casting him aside to rot, or letting him die a lingering death, he gently detached him from the barb and returned him lovingly to the water. *Sancte Petre, Ora pro nobis!*

Besides Peter, three other of the twelve apostles were fishermen, as duly noted by Walton: Andrew, James and John. "And Jesus walking by the sea of Galilee saw two brethren, Simon who is called Peter, and Andrew his brother, casting a net into the sea (for they were fishers)" (Matt. 4: 18). "And going on from thence a little farther, he saw James the son of Zebedee, and John his brother, who also were mending their nets in the ship" (Mark 1: 19). Indeed, Peter, Andrew, James and John had contracted a fishing partnership (Luke 5: 10): that blessed quartet is the joint patron of all fishing parties since held or to be held.

Now, as Walton also notes, these simple fishermen receive throughout the gospels and at the hands of our Saviour special signs of predilection. Whenever the apostles are enumerated in the gospels, these four come first (Matt. 10: 2; Mark 3: 16; Luke 6: 14; Acts 1: 13). Unfortunately, the schismatic Walton does not observe further that Peter is always mentioned first, whereas the others may come in any order: an intimation of the primacy of Peter that should not be overlooked.

And here be it remarked how truly deplorable it is that the great exponent of the " gentle art " just missed by a dogma or so being in the true fold. The sport he extolls, as may already be seen by what goes before, drips with Catholic tradition and is bound up with the earliest history of the Church. However, one may take some consolation from the fact that, but for his Protestant surroundings and traditions, Walton is in mind and heart a true Catholic: pious without being obtrusive, reverent without being vacuously sentimental: a man filled with the zest of life and the love of God, in whom a thorough appreciation of a beneficent Creator's blessings accompanies a delicious and gentle sense of humor.

But let us return to the Apostles.

The three who were privileged to see Christ at His transfiguration were fishermen. It was the same three who beheld Christ in His agony. The two who first saw the empty tomb were fishermen. To be brief, the gentleness of spirit, the simplicity of soul, the love of truth and loyalty which the noble activity of fishing had engendered in these great apostles, made them the special object of our Divine Lord's predilection.

So it was then and so it is now: fishermen are a race especially blessed of God.

There may even be some ground for believing that all the apostles—or at least eight of them—were fishermen. Peter, Andrew, James and John were of course the practised hands: they were the " guides " who showed the others the primary elements of their craft. For the germ of this delightful thought we must again thank Walton, who says: " And it is to be believed that all the other Apostles, after they betook themselves to follow Christ, betook themselves to be Fishermen too; for it is certain that the greater number of them were found together fishing by Jesus after His resurrection, as it is recorded in the twenty-first chapter of St. John's Gospel, v. 3, 4."

Going down to later ages, it is instructive to find how many truly great clergymen had an affinity for fish or fishing in one way or another. It is related, for example, that St. Brendan, patron of sailors, whilst on the voyage from Ireland that took him to the land of promise, sang the Mass for St. Peter's day so melodiously that he attracted an audience of fishes to the boat. Again, there is the well known story of St. Anthony of Padua and the fishes: how, in order to convince a heretic, the great saint got fishes to lift their heads out of the water and listen to his discourse.

Legend links up St. Patrick and fishing in several ways: as that when he landed at Leinster, he asked of some fishermen that they give him a few fish. Upon the refusal of the fishermen, St. Patrick is said to have pronounced a malediction on the fishermen and their river, with the result that no fish have lived in it from that day to the present.

There is something unsympathetic about this tale, and the true fisherman is inclined to doubt its authenticity on the strength of internal evidence. Miserliness and fishing do not go well together.

If we would believe an angler of Trinity College, who wrote over a hundred years ago, St. Patrick was himself a fisherman. It is to be feared, though, that the saint's fishing propensities may have been invented by the rhymester more in order to make an unorthodox pun than to present an historical actuality. But at all events, the song is somewhat of a curiosity and will bear repetition:

No doubt St. Patrick was an angler
   Of credit and renown, sir,
And many a shining trout he caught
   Ere he built Dublin town, sir.
And story tells (it tells no lies)
   He fished with bait and line, sir;
At every throw he had a bite
   Which tugged and shook the twine, sir.

In troubled streams he loved to fish;
  Then salmon could not see, sir;
The trout and eels, and also pike,
  Were under his decree, sir.
And this perhaps may solve a point
  With other learned matters, sir,
Why Irishmen still love to fish
  Ever in 'troubled waters,' sir.

Among the clergy of more modern times one finds here and there an item about priest fishermen; but there must be many others of whom no information is to be had. And this is by no means surprising. Your born fisherman usually goes off by himself, enjoys his sport to the utmost, and does not care a pin whether other people know he fishes or not. Still, now and then one runs across a bit of pertinent biographical matter related to angling. Thus, we are assured that Cardinal Gibbons liked fishing. In his seminary days he used to go on fishing trips out of Baltimore. The late lamented Father Hudson, editor of the *Ave Maria*, also enjoyed fishing. Once, when asked to give information about himself for a Catholic "Who's Who?", he wrote concerning his recreations: "Fishing, travel and Protestant theology."

The popes, despite the excellent example and encouragement of St. Peter, do not seem to have produced any protagonist of angling. Some of the popes have excelled in hunting, but unfortunately there does not seem to be one solitary fisherman among all those who have signed their names with the seal of the Fisherman. Meanwhile, we Catholics must bear patiently taunts like the one flung at us by a certain Rev. C. Daniel Badham, who produced a work upon fishing called *Prose Halieutics* (London, 1854). He makes a reference to Catholics and "their popes, who, though certainly fond of *indulgences*, and recommended by their ecclesiastical code to follow that of angling, have never viewed fishing in this light; whilst in the teeth of the same canon, which proscribes the chase as a bloody and improper pastime for the clergy, popes *cacciatori* have nevertheless existed." The pun is atrocious; and there does not seem to have been any canon of church law positively urging the pastime of fishing upon the clergy. But the substance of the taunt remains, and must cause grief to all Catholic fishermen till it is proved unfounded.

It is certainly a fact that the Church has always looked with a kindly eye upon fishing. The contrast with hunting is enough to make the clerical fisherman chuckle. Says Canon 138 of the present law, " Clerici . . . venationi ne indulgeant, clamorosam autem numquam exerceant." Of course, the primary reason for this prohibition of hunting was originally the scandalous accompaniments of that sport: large parties, expensive horses, dogs, falcons; blowing of horns, baying of hounds, riotous company and the like. But even nowadays there is something incongruous about the clergy indulging in hunting. How does it accord with the clerical state to be carrying about an instrument of destruction, the noise of which is enough to awaken half the countryside? The contrast with fishing is painfully evident. The fisherman is dangerous to nothing but fish, and his goings and comings are silent as a prayer.

Like unto Catholics, the heretics, schismatics and dissidents in general can also claim many outstanding clergymen who were fishermen. Walton refers to some of these in his work. There was, for instance, Dr. Alexander Nowel (d. 1601), " sometime Dean of the Cathedral Church of St. Paul in London, where his monument stands yet undefaced," who, according to Walton, made, in the time of Queen Elizabeth, " like an honest angler," " that good, plain, unperplexed Catechism which is printed with our good old Service-Book." This excellent gentleman regularly spent " a tenth of his time in Angling," and bestowed a tenth of his salary, and usually " all his fish " upon the poor. But for further delightful details one must go back to the first chapter of Walton's work itself.

What a pity so good a man and excellent an angler should have been a heretic! But perhaps it is better so. If there is one thing that will help more than any other to bring back unity of fold and shepherd to Christianity, it is that Christianity's leaders, of whatever belief or sect, should, as many of them as possible, be fishermen: for such a state of affairs will do more than any other one thing to bring about mutual understanding and tolerance and good feeling among these spiritual leaders and their followers.

In the roll call of Protestant clerical fishermen one may also mention the Rev. Phineas Fletcher (d. 1650), " an excellent Divine, and an excellent Angler, and the Author of excellent Piscatory Eclogues "; Dr. Gilbert Sheldon (d. 1671), eventually Archbishop of Canterbury, " whose skill is above others ' ": Dr. Donne (d. 1631), dean of St. Paul's, who made " soft and smooth verses " which " allude to rivers, and fish, and fishing."

A reader of Walton will be struck by another fact: the pious Izaak counted among his intimate friends some of the most renowned clergymen of his church. He was the parishioner of the John Donne above mentioned, famous composer of " metaphysical " poetry and outstanding sermons; and he later became his biographer. Walton also wrote " The Life of Dr. Saunderson, Late Bishop of London." From 1644 to 1651 Walton lived " mostly in the families of the eminent clergymen of England, of whom he was much beloved." After the Restoration he dwelt much with Dr. Manley, Bishop of Winchester, and Dr. Ward, Bishop of Salisbury. His second wife was Anne Ken, daughter of Thomas Ken, Bishop of Bath and Wells. His only daughter was married to " a dignified clergyman," Dr. Hawkins of Winchester. And finally, one of the witnesses to Walton's unique will was Dr. Abraham Markland, Prebendary of Westminster Cathedral.

At a later date one finds among Protestant clerical fishermen Charles Kingsley (d. 1875), rector of Eversley in Hampshire and canon at Chester and Westminster. He has written most attractively about fishing in his *Chalk Stream Studies*.

In America we can claim at least two outstanding Protestant divines who were fishermen. The first book on angling published in the United States consisted of a sermon preached in 1735 at Amoskeag Falls, on the Merrimac River at Manchester, by the Rev. Josiah Seccombe, and published at Boston in 1743. The second half of Mr. Seccombe's sermon is a defence of the morality of fishing.

But above all we Americans can claim that noble gentleman and beloved philosopher, Henry Van Dyke, who was a Presbyterian clergyman, and who pursued " the contemplative man's recreation " in many lands. His " Fisherman's Luck " and " Little Rivers," by this time American classics, glow with a veritable passion for fishing and all that accompanies it. Van Dyke left us but a few years ago, and the world is the worse for his going. He combined a deeply religious outlook on life with a profound love of nature, a gentle sense of humor, and sincere literary sensibilities. May his soul rest in the eternal counterpart of that peace which he so plentifully found on the banks of his beloved " Little Rivers "!

Among the praises which Van Dyke bestows upon his favored sport, he also dwells upon its fitness for the clergy, as will be seen from the following playful passage in " Fisherman's Luck ": " In Professor John Wilson's *Essays Critical and Imaginative* there is a brilliant description of a bishop fishing, which I am sure is neither imaginative nor critical. 'Thus a bishop, sans wig and petticoat, in a hairy cap, black jacket, corduroy breeches and leather leggins, creel on back and rod in hand, sallying forth from his palace, impatient to reach a famous salmon-cast ere the sun leave his cloud . . . appears not only a pillar of his church, but of his kind, and in such a costume is manifestly on the high road to Canterbury and the Kingdom-Come.' I have had the good luck to see quite a number of bishops, parochial and diocesan, in that style, and the vision has always dissolved my doubts in regard to the validity of their claim to the true apostolic succession."

Though as Catholics we would dispute the practical application of this, we must give to the general principle behind it a hearty assent.

Thanks be to God that angling has been graced by such characters as Walton and Van Dyke, even though they were outside the true fold. But still greater thanks be to God that the very first person to write in English upon fly fishing—the original expounder of the delights of angling in the language—the " fair saint of the angler's calendar "—was a Catholic: for thereby is the orthodoxy of the art of fishing, and especially of fly fishing, finally and completely established. This individual, of whom too little is heard as compared with Walton, and to whom Walton owed much, was Dame Juliana Berners, prioress of a nunnery near St. Albans. We do not know a great deal about her, except that she was a lady of noble lineage, eminent for learning and accomplishments, among which angling held a prominent place. Her treatise on fishing was first published in 1496 and was incorporated into the "Book of St. Albans," published by Winken de Worde. It therefore appeared nearly seventy years before "The Complete Angler."

This noble lady shall consequently be our final link in the chain that binds fishing to the Catholic clergy in the sweetest of bonds. For Dame Berners was, as already noted, a member of the clergy: at least, she was a member of the female clergy, if such there be. A devout Catholic, she was a right happy, philosophical, contented fisherman, as will be clear from the following admirable passage, which may be here presented as a sort of envoi for the consideration of all, clerical and lay, who do not yet know the delights of fishing. The good lady is speaking in general of the fisherman:

> And yette atte the leest he hath his holsom walk and mery at his ease, a swete ayre of the swete savoure of the meede floures: that makyth hym hungry. He hereth the melodyous armony of fowles. He seeth the yonge swannes: heeron: duckes: cotes and many other foules wyth their brodes, whyche me semyth better than alle the noyse of honndys: the blastes of hornys and the foulis that hunters, fawkeners and fowlers make.
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> And yf the angler take fysshe: surely thenne is there noo man merrier than he is in his spyryte.

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BISHOP ENGLAND AND THE MISSAL IN ENGLISH.

THE USE of an English translation of the Roman Missal is so familiar a part of the great liturgical revival of recent years that many of us are inclined to think that this manner of assisting at Mass is a modern innovation. New translations of the Missal are constantly appearing and the newer generations of Catholics are being trained in their use. So much work of this sort has been done within the last few decades that we sometimes tend to regard ourselves as discoverers of the Missal and of its uses in English dress.

Over a hundred years ago a complete translation of the Missal was published in America. That it was well received and used by the people is evidenced by the fact that it passed into a third edition as well as by some of the discussion that its publication produced. This first American translation of the Roman Missal was one of the first of the apostolic works of the great John England, Bishop of Charleston. It is a striking proof not only of his energy and determination of character, but also of his zeal for religion and his foresight of what was needed by American Catholics.

How important a place Bishop England gave to the use of the English Missal in Catholic life is shown by the fact that he began work on it soon after coming to America. Consecrated in Cork on 21 September, 1820, Bishop England took possession of the diocese of Charleston on 30 December of the same year. Within the next twelvemonth, in the midst of all his other duties in the service of the Church throughout his vast southern diocese, Bishop England had completed his translation, written his long "Explanation of the Mass", which he included in the work, and prepared the book for publication. The copyright was secured at Charleston on 13 September, 1821, and the work was published in the following year.

The complete title-page of Bishop England's translation reads as follows: The / Roman Missal / Translated Into the English Language / For The Use Of / The Laity. / To Which Is Prefixed, An Historical Explanation / Of the Vestments, Ceremonies, &c. Appertaining To The Holy Sacrifice / Of / The Mass / By the Right Rev'd. Doctor England, / Bishop of Charleston. / New York: / Published By William H. Creagh. / B. Bolmore, Printer, 70 Bowery. / 1822.

The purpose of his translation of the Roman Missal is stated by Bishop England in the preface of the work: " The object of the present publication is to instruct the members of the Roman Catholic Church on the nature of the most solemn act of their religion. The Saviour who established that religion, charged His apostles, saying, *That which I speak to you in the dark, speak ye in the light; and that which ye hear in ear, preach ye upon the housetops.* And the council of Trent lays a solemn injunction upon pastors frequently to explain to the people the nature of the Holy Sacrifice of the Mass. To discharge his duty of obeying those distinct directions of Christ and His Church, in the best manner he could, was the intention of the editor of this work. He was also of the opinion that many well-disposed members of other communions might be greatly benefited by its perusal; as he generally found them not only uninformed of the Catholic doctrines, but having on their minds the most extraordinary and erroneous impressions as to the belief of Roman Catholics."

The Preface continues with another paragraph that is of great historical interest. " The strong prejudices against the Catholic faith, which the British government established in all its colonies; the great difficulty of procuring proper Clergymen for the American Mission after the yoke of Britain had been thrown off; the disgraceful quarrels of several congregations, and the unfounded pretensions of ignorant and obstinate individuals, who, whilst they fancied themselves endowed with the spirit and power of the Apostles, were subverting the foundations of the faith, all tended to check the progress of Catholicity in this country, and to confirm the prejudices of their separated brethren against the Catholics, and against their religion."

Despite his own troubles and those of other prelates, Bishop England was not blind to the good work that was being done in America in behalf of the spread of the Catholic faith. " Notwithstanding those appalling obstacles, the zeal of the American Prelates, and of many of their clergy, had effected, by the aid of the Lord, much good; and one of the principal objects to which they paid as much attention as circumstances would allow, was the diffusion of knowledge by the publication of instructive books." In years to come more than one of those instructive books was to be from the untiring pen of John England himself.

But for his first effort to spread the faith by the printed word, Bishop England turned to the words of the Church itself. Particularly effective in the work of instructing Catholics in their own doctrines and extending a knowledge of Catholic beliefs and practices among others would be a translation into English of the entire Roman Missal.

Bishop England himself makes mention of his difficulties in preparing his work and concludes his " Explanation of the Mass " with a very revealing passage. " The compiler has laboured under many disadvantages, from the situation in which he has been placed, occupied in visiting his Diocese, and without books to which he might refer, during a considerable portion of the time in which this dissertation has been hastily thrown together. It has not been compiled at one time but with many interruptions. For its literary faults he must be excused. He is under the impression that its doctrine is perfectly correct, but if in anything he have deviated from the form of sound words held by the holy Roman Catholic and Apostolic Church, he is anxious immediately to correct it."

Bishop England had started on the long and difficult task of preparing a translation of the Missal for publication, when he discovered that another American prelate, Archbishop Maréchal of Baltimore, had also conceived the need of such a work. " The present Archbishop of Baltimore was particularly anxious to have a translation of the Missal published for the use of the laity, and at his request the venerable Doctor Tessier, president of the Seminary in Baltimore, undertook to superintend its publication. The present Editor, not being aware of those facts, had also come to a similar determination; upon discovering which, Doctor Tessier kindly furnished the excellent materials which he had prepared, and which have greatly abridged the labours of the Editor." Thus the finished work is due in part to Father Tessier, the superior of Sulpicians in America, and, it may be conjectured, to some of his students at Saint Mary's Seminary in the second decade of the nineteenth century. The bulk of the work on the Missal proper and the long explanation of the Mass, actually amounting to a good-sized book, are the work of Bishop England.

" The Explanation of the Mass ", together with the Introduction, " containing a summary of the Rubrics ", covers over a hundred closely printed pages. It is a condensed but detailed account of the Holy Sacrifice, its various parts, rites, ceremonies, prayers, vestments, language, and so on. Bishop England had as his aim both to instruct Catholics and to enlighten non-Catholics. Hence in " The Explanation of the Mass " he takes great pains to express the meaning and reason for the various parts of the Mass and their unfamiliar aspects as thoroughly and simply as he can.

Thus Bishop England explains very carefully why Latin is used as the language of the Mass. He points out that " the Mass is not a common prayer, but an *act of sacrifice* in which by the ministry of the Priest, God does acts beneficial to the people. The benefit to the people is derived not merely from the words said, but from the acts done. The acts are the producing the Victim upon the altar, and offering Him to God for our sins after He has been produced; and the producing the Holy Sacrament of the Eucharist; that the faithful may receive the body and blood of the Saviour in this Sacrament. Now as the object of the Mass is the performance of those acts, the questions for consideration are, first—Is any particular language essential to their performance: and next, are there sufficient reasons why a dead language should be continued in use rather than a living language be adopted? With regard to the first, it may be unhesitatingly answered—No particular language is essential to the validity of the acts. Secondly—There are many sufficient reasons for continuing the use of the Latin language in our Liturgy, in preference to adopting the modern languages."

After this clear distinction, Bishop England proceeds to list reasons for the use of Latin. The " doctrine of the Church is essentially unchangeable;" hence " a dead language, which is subject to no change, as to the meaning of its expressions, is far better calculated to preserve it unchangeably, than modern languages which are perpetually varying." Moreover, Catholic doctrine is not merely the doctrine of an isolated people, " but of many nations who speak different tongues, though they have the same faith: they preserve amongst them, of necessity, a perpetual communion, for the preservation of which a common language is necessary." Again, " their Clergy and Laity are frequently under the necessity of travelling from one country to another, and this common language enables them to offer up and attend at the Holy Sacrifice, in whatever place they may be, with the same benefit as if they were in the land of their nativity." Finally, by this common tongue, which is preserved in the Mass, the clergy in various lands can communicate with one another and the bishops with " that See which is their common centre; and thus be certain of the continuance of and existence of the true faith, and hold the communion of saints."

These are some of the advantages of retaining Latin as the language of the Mass. Whatever inconvenience may be attached to the use of Latin is remedied by precisely such a book as the translation which the Bishop is publishing; " . . . and the publication of such a work as the present, and which is to be found in every Catholic country, together with the frequent explanation of the Pastors, to which they are obliged by the Council of Trent, are sufficient to remedy the only inconvenience which would be apprehended—by making those who do not understand the Latin language acquainted with the meaning of what is said in that tongue."

This clear statement of why the Church retains Latin as the language of the Mass is typical of the entire " Explanation ". Bishop England is adept at answering or forestalling objections to the Church's uses and ceremonies. He uses " modern instances " as well as " wise saws " to drive home his points. Thus to the objection that some of the vestments worn at Mass were formerly worn by pagan priests in ancient Rome, he shows that it would be genuine superstition to refuse to wear garments simply because someone had at sometime worn them while doing evil. Put that principle into practice and modern clothing would have to be rejected by the Church as well as ancient. " The writer of this essay would, if this principle were admitted, oblige every Christian, or at least every Christian clergyman to put away the usual dress of our days, for he can prove that it has been worn within a very short period by one of the principal performers in the most solemn pagan rites, in use at present." Just what these pagan rites were, Bishop England does not state, but it may conjectured that they were the ceremonies of some contemporary pantheistic or deistic sect.

Bishop England did not, of course, rely upon his own authority in composing the " Explanation ". He appeals constantly to the authority of the Holy Scriptures, both the Old Testament and the New. Great Fathers of the Church and great theologians are quoted time and time again. The names of Augustine, Cyprian, Irenaeus, Tertullian, Cyril, Isidore and many others mark the pages. Use was also made in large measure of the great works upon the Mass and its rubrics and ceremonies by Saint Robert Bellarmine, Bossuet, Gavant, Le Brun and others. All in all, the " Explanation " is an impressive proof of Bishop England's learning and ability. Especially is this true in view of the limited time and adverse conditions under which it was written.

For the Missal itself Bishop England relied upon the Challoner Bible for the Scriptural sections, the Epistle, Gospel, Introit, Gradual, Tract, Offertory, Communion and the rest. For the Prayers, Prefaces, Sequences and other non-Scriptural passages he seems to have made use of older translations of the Missal that had been long in use in England and Ireland. In general, the translations are excellent and it is only rarely that a poorly or inadequately translated passage is met. The arrangement of the Missal is good, the rubrics are clear, and the whole work serves its purpose of enabling the reader to assist at Mass with understanding and devotion.

Both the quality of the translation that Bishop England used and the help to be gained by using this translation may be seen by a few illustrations. The Collect for the fourth Sunday in Advent is the following: " Exert, we beseech thee, O Lord, Thy power, and come: and succour us by Thy great might: that by the assistance of Thy grace, Thy indulgent mercy may hasten, what is delayed by our sins." The beautiful prayer said in the Mass and Divine Office for Christmas Eve reads: " O God, who makest us rejoice in the yearly expectation of the feast of our redemption: grant, that we who cheerfully receive Thy only begotten Son as a Redeemer, may behold without fear the same Lord Jesus Christ, coming as our judge." And for Palm Sunday: " O Almighty and eternal God, who wouldst have our Saviour become man, and suffer on a cross, to give mankind an example of humility; mercifully grant that we may improve by the example of His patience, and partake of His resurrection."

Even for those who know Latin such translations as these serve to throw new light on the profound doctrines so wonderfully expressed by the ancient prayers of the Church. The advantages coming to those who cannot read Latin are obviously far greater. To them are revealed riches of truth and beauty in the Church's liturgy that would otherwise remain at least partly hidden and unknown. By means of such translations they are able to carry out in a simpler and more complete way the injunction " to pray the Mass ". To effect all this was Bishop England's far-sighted plan over a century ago, when American Catholics, few and scattered, were still lacking in the advantages that come from schools and education.

The story of the publication of Bishop England's English Missal is told briefly in Monsignor Guilday's monumental *The Life and Times of John England:* " The appearance of the *Roman Missal* which Dr. England published in New York sometime during the summer of 1822 caused a flurry in the ecclesiastical circles of Rome for a time. It was not understood at first that it was to be a reprint; the Sacred Congregation had heard that it was to be a translation."[1] Previous to its actual publication questions had been asked in Rome concerning it. Propaganda wrote to Archbishop Troy of Dublin expressing surprise that Bishop England was contemplating a translation of the Missal, since such translations were forbidden. When Bishop England heard of this he wrote to Cardinal Fontana telling him of the nature of his work, of the fact that he had reprinted the English Missal in use in England and Ireland for many years; that Father Tessier, the superior of the Sulpicians, had read his preface and " Explanation of the Mass " and approved of them. In view of the opposition that he was meeting, Bishop England informed the Cardinal that his resignation was at Rome's disposal.

The matter was not yet ended, for on 10 August, 1822, the great Cardinal Consalvi, Papal Secretary of State, wrote to Archbishop Curtis of Armagh to learn whether the English translation in use in Ireland was approved and reliable, and whether its use in America would be useful or dangerous. A similar letter was sent to Archbishop Maréchal of Baltimore, who was then in Paris. The final result of the correspondence was the complete vindication of Bishop England's judgment in the matter. Archbishop Maréchal was assured that the English translation of the Missal used in the British Isles was orthodox and approved and his doubts about the " Explanation " were removed when he was presented with a copy of the work in Paris on 1 October, 1822. He then wrote to Rome that the work was excellent in every respect and that it would be a mistake to suppress so useful a volume. Monsignor Guilday's concluding comment on the episode is significant: " This seems to have ended the matter, but Bishop England had to wait three years before Propaganda wrote to assure him that the secret attack upon his project had not injured him in the eyes of the Holy See."

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[1] Vol. I, p. 330.

That Bishop England's judgment was sound when he determined upon his publication of the Missal in English for American Catholics was proved by the fact that the first edition was exhausted and a second called for. This appeared in 1843, the year after the Bishop's death. Eugene Cummiskey of Philadelphia was the publisher of the second edition. A score of years later, in 1861, the same publisher put out a " first revised edition " in which the original Latin of certain portions of the Mass is added. Other changes were also made in this edition, Bishop England's explanation of the rubrics being kept, but his fine explanation of the Mass was entirely omitted.

In studying Bishop England's edition of the Missal in English and reading the story of the obstacles that he had to overcome before and after it was published, it is impossible not to become more appreciative of the character of the great pioneer Bishop. His zeal for the spread of Catholic truth, his concern for the enlightenment of American Catholics with regard to their great central act of worship, his keen perception of the fact that he must lose no time in laying the foundations of a sound Catholic life among his people, these and other virtues in Bishop England's character are made clear by the first book that he published in America.

Bishop England ended the preface of his work with the following passage which is also revealing of the man: " For the religion of Christ is essentially unchangeable, its doctrines are irreformable—for truth cannot become falsehood, nor falsehood become truth. Hence the Editor of this work has only sought for, and brought forward, what had been originally testified by that cloud of witnesses that has gone before him in the Church, and entreats, as a recompense for his labours, a share of the prayers of those who may profit thereby." To-day, almost a century after his death, Bishop England's pioneer labors in bringing the Missal before the people are receiving another recompense—that of extension and fulfilment.

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THE LOT OF INFANTS WHO DIE WITHOUT BAPTISM.

CAN INFANTS who die without baptism be saved?

This question introduces us to one of the most prolonged discussions in the history of the Church. It began with Pelagius in the fifth century and while we cannot say that the question is still open, nevertheless the discussion continues and has not lost any of its interest to the present day. The *Ephemerides Theologicae Lovanienses,* Jan. 1935, p. 191, gives brief mention to an article in which our question is answered in the affirmative.[1] The substance of that article will concern us later; for the present we cite it as an indication that the fate of unbaptized infants in the next life is a topic that still arouses considerable interest in theological as well as lay circles.

The teaching of the Church on this question, while clear and unambiguous, has to face nevertheless a twofold handicap. There is first of all the failure on the part of many to grasp what may be called the technical meaning of the terms that are used. This is a popular difficulty that accounts for a great deal of misunderstanding both outside and within the Church. The words "damnation", "salvation", "hell", "punishment", etc., all have a meaning which theology gives them and that meaning simply has to be known if the doctrine is to be understood. No amount of guessing will make up for the exact connotation of a word. When the theological meaning of these terms is only imperfectly understood the imagination often steps in and supplies the defect. This is the second handicap the doctrine of infant damnation has to bear. To one who *imagines* what damnation is instead of *knowing* what it is, it does indeed appear unjust that God should punish for all eternity one who unknown to himself is charged with a fault committed centuries ago by another. It would be unjust too—if God did what we sometimes *imagine* He does. From the time of Pelagius to the present the problem of the fate of these infants has been obscured in both these ways—a failure to grasp the exact meaning of the terms that are involved, resulting as a rule in an attempt to picture their lot instead of understanding it.

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[1] "De Baptismo in voto quoad infantes praemorientes parentum piorum," M. Bäuerle, *Estudis Franciscanis* (Barcelona), t. 46, 1934, pp. 16-31.

There is however a real problem in our question that cannot be lightly brushed aside. Revelation makes known to us the absolute necessity of baptism for salvation: "Amen, Amen I say to thee, unless a man be born again of water and the Holy Ghost, he cannot enter into the Kingdom of God" (Jn. 3:5). This solemn assertion of Christ to Nicodemus has always been regarded by the Church as establishing beyond question the necessity of baptism for all. The practice of infant baptism clearly attests her belief that infants are bound by this law as well as adults. Still, if this were all that revelation made known to us there would be no problem but only a difficulty—a difficulty that touches the wisdom and justice of God. Why should an all-wise God apparently make salvation more difficult after the coming of Christ than it was before? Before Christ came infants could be saved in a variety of ways: circumcision was a means as well as the so-called sacrament of nature which was tied up with no special ceremony. Parents had merely to say a prayer for their children, or dedicate them to God, or offer sacrifice for them; and there were still other means besides these which are unknown to us. Now however salvation is made to hinge upon the use of only one means—baptism, which, in the case we are considering, it is impossible to apply. It is hard to see why God in this era of the fulness of grace should be so parsimonious when He was so generous before. Then there is the difficutly in seeing the justice of giving a better chance of salvation to adults than to infants. An adult who cannot receive the sacrament of Baptism can correspond with an actual grace that God will send him, thus enabling him to desire baptism at least implicitly and so to be saved. An infant however receives no such grace since he is incapable of exercising his will. For him, apart from the special case of martyrdom, it is the baptism of water or nothing. Where is the justice in that? we are tempted to ask.

These are difficulties that rest upon the assumption that God has provided no means of salvation for infants who die before they can be baptized and that consequently He does not will their salvation. They would remain only difficulties if the texts that refer to the necessity of baptism were all that we had. The difficulties become a problem however when we hear the voice of revelation apparently contradicting itself. St. Paul tells us in 1 Tim. 2: 4 that God " will have all men to be saved and to come to the knowledge of the truth ". Will have all men to be saved and yet provide no means of salvation for a large class of them, these infants; or at most provide a means which it is impossible for them to use! How can such a will be sincere? Again, we know that Christ died for all men, even for infants who never see the light of day. Are they then beyond the pale? Are they to be exempted from the saving efficiency of His passion simply because it is impossible for them to get in touch with the means that apply the benefits of the passion to mankind? How can we reconcile these seemingly conflicting statements of revelation? That is our problem.

In the course of this discussion we shall attempt to keep separate the known from the unknown, the certain from the uncertain, and the teaching of the Church from the hypotheses of theologians. That these infants are deprived of the beatific vision and yet suffer no positive infliction, we know. Beyond this there stretches a vast field of speculation in which the imagination can easily run riot unless it is held in check by the data of revelation. We shall also avoid introducing the formal distinction between pain of loss and pain of sense too soon. That distinction came late in theology and while it is most exact, we must nevertheless be careful not to read it into the writings of the early Fathers, especially St. Augustine. Historically theology built up to that distinction rather than worked down from it, and that is the method we shall use. Only confusion and misunderstanding result from the opposite approach.

I

We know first of all that these infants dying without baptism are deprived of the beatific vision. This is clear from the text of St. John: " Amen, Amen, I say to thee, unless a man be born again of water and the Holy Ghost, he cannot enter into the Kingdom of God " (3: 5). In St. Mark Christ reveals only one way of salvation: " He that believeth and is baptized shall be saved " (12: 16). In their baptism infants receive the infused habit of faith.

The first to deny that the text of St. John had any reference to the necessity of baptism for the remission of original sin, and hence for salvation, was Pelagius. For him all sin was something purely personal, proceeding from a man's own will and affecting him alone. He was unable or unwilling to grasp the idea of a sin or fault of nature, shared in by father and son and passed on from generation to generation. Original sin therefore in these infants was out of the question. Since their wills could not act they could have no sin whatever. Coelestius the disciple of Pelagius explains: " Sin is not born with a man; it is subsequently committed by the man: for it is shown to be a fault, not of nature, but of the human will ".[2] Actual sin therefore for the Pelagians is the only sin. As for the text of St. John they said it meant exactly what it said. Without baptism one cannot enter the Kingdom of God—true: but the *Kingdom of God* is not the same as *eternal life*. Since these infants have no sin at all they can be saved—they enter *eternal life*. They share the same joy in heaven as adults, with the exception that the latter have a special reward for their meritorious acts which goes under the title of the *Kingdom of God*. They looked upon these infants as saved and as enjoying eternal life but excluded from that department which was reserved only for the baptized—the Kingdom of God or of Heaven. They quoted Jn. 14: 2 in support of their view: " In my Father's house there are many mansions ". Baptism therefore gave one the right to enter the mansion of the Kingdom of God but the lack of it did not exclude one from the Father's house or from the mansion of eternal life.

St. Augustine in his anti-Pelagian writings made short work of this too literal exegesis and showed that in Scripture *salvation, eternal life, the Kingdom of God* and *the Kingdom of Heaven* are synonymous terms. In *De Peccat. Merit* 3: 8, after quoting a number of texts, he draws this conclusion: " By these and similar statements which I now pass over—so absolutely clear in the light of God, so absolutely certain by His authority are they—does not truth proclaim with unfaltering tongue that unbaptized infants not only cannot enter into the Kingdom of God but cannot have everlasting life except in the body of Christ into which, that they may receive incorporation, they are washed in the sacrament of Baptism? "[3] In bk. 1: 26-27 of the same work he argues from the parallel case of the Eucharist. In Jn. 6: 54, 55 Christ declares that no one can have life eternal except through eating His flesh and drinking His blood. St. Augustine shows that baptized infants do this spiritually through their baptism but since unbaptized infants can be said to do this in no way at all, they must be excluded from eternal life as well as from the Kingdom of Heaven. Besides, why should they be excluded at all from the Kingdom of God if they have no sin? Is not this exclusion itself a punishment that presupposes a fault? [4]

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[2] St. Aug. *De Pecc. Orig.* 6.

[3] Cf. also *Serm.* 294: 2, 3 (P. L. 38, col. 1316, 1317).

It is clear then that there are only two states, one of *salvation* and the other of *damnation,* with no midway state between the two. St. Augustine is positive: " Nor is there any middle place or state for any man, so that a man can only be with the devil who is not with Christ ".[5] " The Lord will come and He will make two groups, one on the right and the other on the left. . . . There is no midway place left where you can put those infants. Therefore he who is not on the right hand without doubt is on the left." [6] " The inevitable conclusion from these truths is this, that . . . unless this benefit (baptism) be bestowed upon them, they manifestly pertain to damnation." [7]

One is saved therefore when he has the right to the beatific vision which baptism gives him. One who has not this right is in a state of damnation. Since the beatific vision is altogether undue to our nature and above its native capacity and requirements it is clear that no injustice is done when we are deprived of it. The term " salvation " therefore extends to all those who have this right—not merely the blessed in heaven but the souls in Purgatory and even those in the Limbus Patrum of prebaptismal days: they are all in a state of salvation because they all have the right to enjoy the beatific vision. The state of damnation is the opposite one of those who have not this right. It embraces not only those who are in hell for actual mortal sin but even these unbaptized infants. The teaching of the Church is clear on this point: " Illorum animas qui in mortali peccato vel cum solo originali decedunt, mox in infernum descendere ", are the words of the Council of Florence, which simply renewed the profession of faith proposed to Michael Palaeologus in 1267.[8] Pope Innocent III wrote to the Archbishop of Arles in 1201: " Poenam originalis peccati esse carentiam visionis Dei, actualis vero peccati esse gehennae perpetuae cruciatus ".[9] " Hell " therefore or " infernus " is a technical term both for the state and place of all those who have no right to the beatific vision. Theologically infants who die without baptism are in hell. It is hard to see how anyone can deny this when the Council of Florence has defined it—" mox in infernum descendere ". They are in that " lower region below salvation and for this reason their state is that of damnation. Since popular imagination however always associates the word " hell " with the " everlasting fire " reserved for the devil and his angels and for those who die in the state of mortal sin, it is not customary to speak of infants being in hell without some qualification. Nevertheless, that is where they are, since the concept of hell is a generic one signifying the state and the place of all who will never see the blessed vision of God, no matter what their condition there may be.

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[4] *De Peccat. Merit.* 1: 30, 58; *Contra Julian.* 3: 3, 9; 6: 10, 32.

[5] *De Peccat. Merit.* bk. 1: 55.

[6] *Serm. 14 de Verb. Apost.* c. 3.

[7] *De Peccat. Merit.* 3: 7.

II

The next point is also clear: these infants are suffering a punishment. Does this mean that they *feel* some punishment or affliction? Here again we must not let our imagination run wild but keep close to the theological meaning of terms.

Every absence of the beatific vision as far as rational creatures are concerned is penal. It is not so much an absence as a privation of the end for which they were destined. We must always keep in mind that historically there are not two ends of man but only one, and that the supernatural one—the beatific vision. Some were prone to imagine that there were two—one natural for the unbaptized and the other supernatural for the baptized. This was the opinion of Cardinal Sfondrati who could write: " We must admit that because God never willed eternal life for children who die before baptism, they pertain to another end and order of providence ".[10] This opinion rests upon an assumption that is not true, for historically there never was a state of pure nature comprising a natural end with merely natural happiness. It makes no difference therefore from this point of view whether we *reach* our end or not, the beatific vision is our only end and baptism gives us, not the end, but the means to attain it.

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[8] Denz. 464, 693.

[9] Denz. 410.

[10] *Nodus Praedestinationis Dissolutus*, Rome, 1687.

Infants then who die unbaptized are deprived of their destined end and for that reason they are in a state of damnation and are suffering a punishment. A man in exile is not merely absent from his country—he is suffering a punishment. A man who misses his train and fails to reach his destination is likewise not merely absent from the place where he intended to go—he should be there. So with these infants—they should be elsewhere, in heaven with God and the saints; but they have lost their end and have failed to reach their goal because of a fault, not personal indeed but nevertheless real—original sin. This is the pain of loss that constitutes the essence of hell and it is this that these infants are suffering—" in infernum descendere ". Any obscuring or minimizing of this doctrine will surely lead to the minimizing of the importance of baptism. A mother whose child had unfortunately died before baptism could be administered was assured by her parish priest that since this tragic omission had occurred without any fault on her part, God would take care of her infant—he was in His hands and she need not worry. The mother like Rachel refused to be comforted and simply replied, " My child will never see God ". What a wealth of true Catholic instinct and sound theology that short sentence reveals! God would indeed take care of her infant but she knew instinctively that her infant would never see God.

III

Do these infants then feel any affliction or suffering in their state of punishment? Have they to bear any positive infliction, either exterior—the so-called pain of sense—or interior, arising from the realization of what they have lost? We can cut short a long discussion by simply saying that they suffer neither, but it is interesting to see how theologians have arrived at that conclusion. We shall begin with exterior affliction or punishment—the pain of sense.

The Greek Fathers unanimously teach that they have no affliction of this kind to bear. Let St. Gregory Nazianzen speak for them all: " They receive neither heavenly glory nor tortures from the just Judge, inasmuch as, although they were not baptized, nevertheless they are without wickedness and they have suffered this loss rather than caused it. For just as he who is not worthy of punishment forthwith deserves not honor, so it does not follow that he who is not worthy of honor is immediately deserving of punishment ".[11]

In the West St. Augustine seems to have been the first to consider this question. Before the rise of Pelagianism he shared the view of the Greeks and in his *De Libero Arbitrio* (388-395 A.D.) he could say: " Nor should we fear to say that there is room for a life midway between virtue ad sin, and for a sentence of the judge midway between reward and punishment ".[12] When the Pelagian controversy arose however he avoided all such " intermediate " expressions and strongly upheld, as we have seen, the damnation of all who would not be on the right hand of the Judge at the last day. Since unbaptized infants would not be on his right hand but on the left, they also will be in a state of damnation and there is no midway place possible for them. Did St. Augustine go farther than this and teach a positive pain of sense for these infants? It is commonly, almost universally, asserted that he did.[13] We are told that in his reaction against the Pelagians who exempted such children from all punishment and placed them in eternal life, he went to the opposite extreme and assigned them some pain of sense — although " mitissima ". Many are the excerpts from his writings that are adduced in support of this view. Thus, from *Serm. 14 De Verb. Apost.* c. 3: " The Lord will come and will make two groups, one on the right and the other on the left. . . . There is no midway place left where you can put those infants. . . . He who is not on the right side is without doubt on the left. Therefore he who will not go into the Kingdom, without doubt will go into the everlasting fire ". From *De Origine Animae* c. 9: " Let no one promise to unbaptized infants anywhere a sort of midway place of rest and happiness between damnation and the Kingdom of Heaven; for this is what the Pelagian heresy promised them". From *De Peccat. Merit.* 1: 28: "They shall not have life, but the wrath of God abideth on them". Ibid. 55: "Nor is there any middle place or state for any man, so that a man can only be with the devil who is not with Christ". They will suffer true punishment but the mildest of all: "It may therefore be correctly affirmed that such infants as quit the body without being baptized will be involved in condemnation, but of the mildest character".[14] "Their punishment will be mildest of all (mitissima sane omnium poena erit eorum) who have no sin except original sin".[15]

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[11] *Orat. 40 in Sac. Bapt.*

[12] Bk. 3, c. 23. P. L. t. 32, col. 1304.

[13] So Bellamy himself in his splendid article in the *D. T. C.*, 2: 366 ff.

In the same sense are cited the doubtfully authentic canon 3 of the second Council of Mileve held in the year 416 against the Pelagians; [16] St. Jerome, *Dial. adv. Pelag.* 3: 17; St. Fulgentius, *De Incarn. et Grat.* ch. 14, 30; St. Gregory the Great, *Moral.* 9: 21; St. Isidore, *Sentent.* 1: 22; and St. Anselm, *De Concept. Virg.* ch. 23.

Let us be just to the great Bishop of Hippo however. Invariably our distinction between pain of loss and pain of sense is imposed upon him as if he were aware of it and wrote from our point of view. Of course, to us now many of the expressions he used concerning the punishment of unbaptized infants—such as "everlasting fire", "the wrath of God", and their association with the devil — can mean only one thing, pain of sense; but did they mean that to him? That is the question. We must remember that he never explicitly made this clear-cut distinction between pain of loss and pain of sense and it is unfair to read it into him as if he were thoroughly acquainted with it. His great concern was to show against the Pelagians that there is no intermediate state between salvation and damnation, between heaven and hell, and consequently "infants, unless they are regenerated in Christ, without doubt are damned".[17] The precise nature of that damnation was not in question at the time and it was not discussed. It was the *fact* of their damnation that he insisted on—not the *manner*. No wonder then, when he heard the sentence of the Judge: "Depart into everlasting fire", he could write: "They will burn in eternal flames ".[18] " Damnation ", " hell ", " fire ", " gehenna " were for him synonymous terms with no reference to the distinction made by the later scholastics between pain of loss and pain of sense. St. Thomas [19] gives us the true interpretation: " These words—tormentum, supplicium, gehenna, cruciatus, or anything similar in the writings of the saints—are to be taken in a wide sense (*large*) for punishment, the species being put for the genus; as the Scriptures are also accustomed to use figurative language when speaking of punishment (sicut etiam in Scripturis quaelibet poena figurari consuevit). Therefore the saints used this language to render detestable the error of the Pelagians who asserted that there was no sin in those infants nor was there any punishment due to them '. In the *Append. Suppl.* q. 3, a. 1, ad 1 he tells us the same: " The word ' fire ' is often used in Scripture as a figure for any punishment at all ".

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[14] *Ibid.*, 1: 16.

[15] *Ench.* c. 93.

[16] Denz. 102 note 3.

[17] *Retract.* 2: 45.

Besides, St. Augustine tells us himself that he knew nothing about the exact nature of the " damnatio levissima " or the " poena mitissima " of these infants. In *Cont. Julian.* 5: 11 he candidly confesses: " Quae, qualis et quanta erit . . . definire non possim "; and in *Epist.* 166: " When we come to consider the punishments of these infants I am, believe me, straitened with great perplexities nor do I find at all what to answer ". Again, from the same Epistle to St. Jerome: " Teach me what I am to teach, teach me what I am to hold, and tell me . . . where in these infants there is sin so that they need in the sacrament of Christ the remission of sin. . . . Or if they do not sin, with what justice of the Creator are they bound by another's sin so that damnation overtakes them unless the Church comes to their aid (through baptism) ". Surely this is not the language of one who believes and teaches that these infants are suffering a pain of sense. His perplexity arose precisely because he did not make the distinction between pain of loss and pain of sense. St. Augustine wrote this Epistle in 415 and St. Jerome replied the following year but was unable to help him. When our distinction was finally made this difficulty as to the nature of the punishment these infants have to bear to a great extent vanished but it is important to remember that St. Augustine did not live to see that distinction made.

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[18] *Cont. Julian.* 11.

[19] *De Malo* q. 5, a. 2, ad 1.

Handicapped in this way it is easy to see how the great Bishop of Hippo drew from the words of Christ at the Last Judgment a meaning that they do not necessarily bear. In that discourse the Judge is rewarding or condemning for personal works—" depart from me . . . for I was hungry, and you gave me not to eat . . . thirsty, and you gave me not to drink ", etc. The condemnatory sentence therefore, " Depart into everlasting fire ", is passed on those who have made a wrong use of their free wills or who have culpably failed to use them—of which infants are incapable. There will be a pain of sense for those who have personal demerits, according to Apoc. 18: 7: " As much as she (Babylon) hath glorified herself, and lived in delicacies, so much torment and sorrow give ye to her ". It is true that there is no midway position between salvation and damnation; yet the text of Mt. 25: 31-46 is not exactly *ad rem* as far as the special case of unbaptized infants is concerned. These infants, if they will be at the judgment scene at all, will indeed stand on the left side of the Judge and as a consequence they will be condemned with the rest and deprived of the beatific vision, but they will be in a class apart by themselves as far as the pain of sense is concerned. It it not a contradition therefore to say that while there can be no midway place between the state of salvation and the state of damnation, there is nevertheless an intermediate place between heaven and the hell of those damned for personal sin, where there is no pain of sense but only the privation of the beatific vision. This is what we have come to call the Limbus Puerorum. The Bishop of Hippo used scriptural terms in what we have called their *technical* sense to designate the damnation of these infants and we must not press his language beyond his meaning.

If this is true, is it not possible to see in the " damnatio levissima " and " poena mitissima " of these infants no more than the privation of the beatific vision, since that alone suffices to constitute damnation? Although hell consists essentially in the pain of loss, which from that standpoint may rightly be called a *poena maxima,* nevertheless from the viewpoint of positive affliction and sensible suffering the pain of loss may be termed a *poena mitissima.* We do not say that St. Augustine had all this in mind when he used these terms—all we affirm is that his words need not be taken to imply what we now speak of as the pain of sense. The holy Doctor, not having our precise distinctions ready at hand, had to confine himself to revealed terminology and use generic terms.

From the 12th century on the scholastics began to give this benign interpretation of the *poena mitissima.* Abelard and Peter Lombard understod it as exclusion from the beatific vision alone. The 13th century therefore did not exactly witness a complete reaction against the doctrine of St. Augustine, as we are told by those who maintain he taught the pain of sense; [20] it was rather that the specific nature of the punishment of these infants was now explicitly considered — a thing which St. Augustine never did. There was no going back to the Greek view or arriving at conclusions altogether different from those of St. Augustine. Albert the Great it is true tells us that the holy doctor " improprie loquitur ",[21] but this is not the same as saying that " his language is not exact ", as Bellamy translates the phrase in *D.T.C.* 2: 369.[22] St. Augustine was speaking about one thing—the *genus,* the scholastics about another—the *species.* St. Thomas gives us a much better clue to the meaning that is behind " improprie loquitur " when he tells us that the Bishop of Hippo's words are to be taken *large*—in a wide sense. There does not seem therefore to be any reason for seeing more in the " improprie loquitur " of St. Albert when referring to some of the expressions St. Augustine used in connexion with the punishments of unbaptized infants in the next world than the Angelic Doctor's own phrase—" large accipiendum est ".

Alexander of Hales combined in a curious way the generic conclusion of St. Augustine with the specific distinction of the scholastics. In his *Summa,* p. 2, q. 106, m. 9, he says that the fire to which they will be consigned by the sentence of the Judge can be taken in two senses: first, as fire itself (*ratione ardoris*), and as such it will be the punishment of actual sin; then, as darkness (*ratione tenebrositatis*), and in this sense it means the privation of the vision of God. Unbaptized infants will not suffer fire in the proper sense of the word but *darkness* —the privation of the beatific vision.

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[20] E. g. *D. T. C.*, 2: 369: "Au xiii^e^ siècle, la réaction contre la doctrine de saint Augustine fut complète ".

[21] 4 Sent. dist. 4, a. 8.

[22] " Il (Albert le Grand) déclare que le langage de St. Augustine n'est pas exact, *improprie loquitur* ".

It was left for St. Thomas to clear up this whole matter. We can find his teaching in *De Malo,* q. 5, and in the Appendix to the Supplement of the *Summa,* q. 3, a. 1 and 2. In the first place he shows that there can be no pain of sense for original sin alone. A positive infliction is due only where there has been a positive act committed by a person, that is—only for actual personal sin. He makes is clear that original sin as it is found in us, the children of Adam, is not something that a person does, it is rather something that affects our nature. When our nature was founded in the beginning it was given something over and above its requirements—original justice embracing sanctifying grace and the preternatural gifts. We were destined to the beatific vision as our end and sanctifying grace gave us a right to that end. Original justice was not a gift merely to a person as such, Adam individually, but to human nature in Adam, so that wherever human nature was to be found carnally descended from Adam, there would be found also this superadded gift. When Adam sinned, original justice was removed; again not only from him personally, but from human nature itself and each man born into the world now has a nature that no longer has this added gift. That is our original sin—a sin of nature rather than of person. The privation of grace and of the beatific vision is therefore a punishment that automatically follows original sin. Again, in the just proportion that must exist between crime and punishment, positive affliction is due because of the undue attachment to a creature which we find in every actual sin. There is none of this however in inherited original sin—only the first element is verified, aversion from God as our last end; and this finds its suitable punishment in perpetual banishment from Him. Finally, positive affliction is not due to a habit or a disposition but only to an act. No one is punished for being habitually disposed to stealing but only for actually stealing. Now original sin from this point of view is only a tendency to concupiscence which *adults* may put into act but *infants* never. On this score too no positive infliction or pain of sense is due to original sin alone and as a consequence these unbaptized infants do not suffer any such pain.

[*To be concluded.*]

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STERILIZATION LAW IN GERMANY.

STATISTICAL SURVEY CONCERNING OBLIGATORY STERILIZATION IN GERMANY.

ACCORDING TO the official statistics of the German Ministry of Justice, 84,525 petitions for sterilization were made in the course of 1934 to the respective Courts. Men numbered 42,903 cases and women 41,622. That represents one for every 772 inhabitants. Up to 31 December, 1934, 64,466 cases were dealt with, i.e., 75% of the total number of petitions. Sterilization was ordered in 56,244 cases of which 28,286 were men and 27,958 women. Sterilization was refused in 3692 cases. The number of cases dealt with in other ways was 4563. Therefore, in 93.8% of the cases dealt with, sterilization was ordered to be carried out and in 6.2% it was refused.

An appeal against the judgment for the carrying out of sterilization was made in 8219 cases (14.6%). Up to the end of 1934, 5245 of these appeals were dealt with at the Courts with the result that the appeal was granted in 377 cases (7.2%) and refused in 4559 cases; a small number of cases were dealt with in other ways. For the sake of comparison it is worth noticing that in the U.S.A. for the period from 1905 until 1933 or 1934 there were about 16,000 cases of compulsory or authorized sterilization.*

From this short statistical survey it is clear that the law has been widely applied. The Catholic moral theologian is, therefore, bound to deal with the questions arising from such a situation.

It is not allowed to men or women to have themselves sterilized, because they are not the absolute owners of their bodies and their members. They have only the right of use. God brought man into existence and wants him to fulfil the divine purpose which the Creator set before Himself in creating man. This purpose of God appears, for example, in the natural capacity of the generative faculty to produce children. Man, therefore, cannot do as he wishes with himself and the integrity of his body, or destroy the functioning of his faculties, arbitrarily, because he is bound to keep within the limits set by the purpose of Nature itself. This end of Nature, and therefore the purpose of God who created Nature, with its ends, would be made impossible if arbitrary sterilization were allowed. The objection is raised that direct sterilization in some cases is absolutely necessary. It is argued that the part is subordinated to the whole, and that from this subordination it follows that if the whole is endangered, the part may be sacrificed to preserve the whole.

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* Cf. Deutsche Justiz, Rechtspflege and Rechtspolitik. Amtliches Blatt der deutschen Rechtspflege, Vol. 97, no. 21, Edition A, 24 May, 1935, pp. 780-782.

But we have to be careful of applying too hastily such general principles. This subordination of the part to the whole warrants the interference with the function, by mutilation or total removal of the part, only when the part by its mere existence, or by its activity, endangers the whole immediately and directly. But such a justification is evidently not proved when the danger is created, not by the faculty itself or by its activity, but by the free will of man.

Let us take the case of a woman who would run great risk to her life if she gave birth to a child. In order to preclude that danger, she has herself or her husband sterilized, so as to be able to enjoy marital intercourse without running any risk to her life. The risk would be run by the free act of the will of the woman, insisting on having intercourse; it is not the faculty itself, then, which puts her life into immediate danger, but the free exercise of the faculty. The only moral and legitimate way for her to avoid the risk which threatens her life from the activity of the generative faculty, would be to refrain from marital intercourse altogether. But if life itself is immediately and directly imperiled by an actual disease of the generative organs, it is obviously allowed to remove such diseased organs, just as it is morally justifiable to remove a leg or an arm to preserve life or health, when milder measures do not suffice.

Let us consider, then, the difference between the two cases. In the first case, the danger is consequent upon the woman's act of free will, insisting on having intercourse; apart from intercourse there is absolutely no danger to her life. In the second case, the generative organs are already diseased without any act of free choice here and now entering into the question. Here either the part or the whole must necessarily be sacrificed.

Hence the principle that the part is to be sacrified to the whole would here apply.

But the more important question arises when the State is the whole to be considered, and the individual is the part to be subordinated. Has the State the right to sterilize persons who are likely to procreate offspring either mentally defective or infected with hereditary diseases?

The argument as proposed runs as follows: the State, in sterilizing such persons, does nothing else but safeguard the common good. If the common good is endangered by the private rights of individuals, then the State (so the defenders of this theory argue) has the right of curtailing the rights of the individuals, and the more so as the common good is jeopardized by the individual. For " Gemeinnutz geht vor Eigennutz ", that is " the common good absolutely prevails over the private good," as the Nazi slogan has it. Now first of all, to settle the dispute, the following questions have to be dealt with:

(1) What is the relation of the individual to the State?

(2) What is the true understanding of the term " common good " to which those who propose state-sterilization of the unfit appeal?

(3) How does the true understanding of the term " common good " apply to the question of state-sterilization?

I

What, then, is the relation of the individual to the State? Man, as a rational being, endowed with soul and body, is created by God. This fact has to be taken for granted in the following investigation. God, being the Creator, has the absolute dominion over man; man, as such, has only a qualified dominion over his life and body. God, in creating man, had His purpose, which is expressed in the essential tendencies of man's nature; for it is the Creator who by calling the creature into being has impressed upon it the purpose of its creation. It is, consequently, the duty of man to fulfil God's purpose in a life which corresponds to the tendencies embodied in man's very nature. In other words, God's purpose in creating man is the natural perfection of his personality as a rational being. This is a descriptive definition of the divine purpose in regard to man. Hence man came into being, was given life and body, to fulfil his natural perfection; consequently man has only such a dominion over his life and body as accords with his natural end. This is a qualified dominion, the right, not of absolute ownership, but of use. We see, then, that the duty which is given with the very being, and the strict right to use that being in so far as it accomplishes that duty, correspond with one another.

It is evident that if the individual as such has to fulfil that duty, that is, to arrive at the perfection of his own personality, only by means of his limited individual strength and resources, he would fail to reach the fully developed human life. Only in society, therefore, can man develop his natural faculties to the full extent and arrive at the perfection, the realization of which is commanded by God. "The State is a perfect and self-sufficing society, consisting of many families, united under a common ruler, for the attainment of the complete welfare and life of the community." [1] *

It cannot be the purpose of this article to give a full account as to how the State developed historically from the individual and family, how the family widens into the village community, how the village community comes gradually to acquire such a degree of organization as makes it a self-sufficient society or a State. The question is rather how the rights of the individual and those of the State are related to one another. It seems to be obvious that the individual as such is antecedent to the State, and that therefore certain rights of the individual are antecedent in time and in importance to the rights of the State. For the very existence of the State depends on the prior existence of the individuals. A group of individuals or families may reasonably be thought of as living together without forming any kind of highly differentiated community. But it is inconceivable to think of the State without the individuals on whom its existence completely depends. Being, life, body and its integrity, are given to man as an individual before he enters into society. Hence it follows that the rights to existence, to life, and to integrity of body, are also given to man before he enters into the State. The individual certainly does not forego those rights because he has chosen to live with other men in a State, in order that his natural welfare, the natural perfection of his personality, may be better provided for.

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* See Appendix II, p. 68, for Notes and References.

II

What is the true meaning of the term " common good "? The chief argument in favor of state-sterilization of the unfit is that the common good prevails over the individual good, and that to safeguard the common good, the State as its guarantor is entitled to interfere with the rights of individuals in so far as they prevent the State from fulfilling the duty and purpose of its existence. This statement is proved in the following argument:

The whole is more important than the part, and consequently to save the whole, the part may rightly be sacrificed if it does harm to the whole. The mental defectives and otherwise hereditarily diseased people certainly do harm to society as a whole, overburdening it with new expenses and taxes, and diminishing the general well-being of the State. Consequently they may be sterilized in order to safeguard the community against " unjust " burdens. The first proposition is proved thus. The State is one great organism, and just as in an organism the part is absolutely subordinate to the whole, and must be sacrificed if the whole runs a risk of serious harm, so the individual as a part of the State-organism, must give up his personal rights if the exercise of these seriously endangers the whole organism.

First of all, this argument *would* be valid if the individual with his faculties were essentially related by his very being to society as to his proximate end, just as the members of the human body are essentially related by their very being to the human body as their proximate end. But it is false and misleading to conceive the State as a living organism like man's body. Were it so, the claim on the part of the State to complete subordination to itself of the individual would be valid. But it has already been proved that the individual has rights which are not relinquished by his entering into society. With regard to those rights, therefore, the individual is not subordinated to the State so completely as to be a part of it and nothing else. The argument in favor of sterilization put forward by modern statesmen, scientists, and eugenists, seems to over-state the preponderance of the common good, namely, of the whole over the part, or rather, they conceive the common good in a false way.

To prove this statement we have to make clear what ought to be understood by the term " common good ", that is, the *true* common good, and consequently, what rights the State has as the custodian of that true common good with regard to the individuals. It is wrong for the State to define arbitrarily what the common good is to be, and then to deduce from this arbitrary construction, the rights which it has in order to realize that common good. But the true common good has to be determined in accordance with the nature of the individuals who make up the State, as it is from the very nature and the natural rights of the individuals that the State derives its existence and purpose.

This purpose, the reason for the existence of the State, is twofold, namely, to *protect* the natural rights of its constituent members, and to *provide* facilities for the development of their manifold capacities, whether physical, intellectual, cultural, or moral. Life, body, and its integrity, and the right to them, are given to man by Nature, that is, by God Himself. These " goods ", and the rights to them on the part of the individual, are not only the foundation of his welfare, and of his temporal perfection; they are moreover the radical basis of the State itself. It is the State's duty to help man that he may build upon this Nature-given foundation that natural perfection which is evidently God's intention, but which he can hardly attain apart from the help of organized society. The primary common good is therefore the protection of those inviolable fundamental rights of the individual which are the foundation of his temporal welfare. Consequently, this is that inviolability, to safeguard which is the foremost duty of the State. A State which thinks itself entitled to interfere with the integrity of man's natural rights, on the ground that the common good, as they understand it, requires and entitles it to do so, destroys in that very action the basis of the common good, that is, the inviolability of man's natural rights.

It is evident, then, that in claiming the right to violate individual natural rights on the ground of the common good, the State does not ground its claim on the *true* common good. Nevertheless, society as such has higher and nobler rights with regard to its members than the members themselves as such; that is, *socially*, in the sphere of man's activity which is posterior to his individual and personal rights and responsibilities, the higher authority, of course, in what pertains to man's merely *temporal* welfare, resides in the State. But because the end of the State is the *true* common good, the rights of the State, though more extensive than the rights of its members as such, obviously must correspond with and subserve the prior rights of men as individuals. The distinction between man *as an individual*, with prior rights, and man *as a member* of society, with subsequent duties and obligations, is of the highest importance. To ignore it is to fall headlong into confusion. For the members are bound to subordinate themselves to the State only in so far as they are members of it. They are members not wholly merged in the State; in other words, they are not merely a part of the whole, since they are independent personalities in their possession of prior natural rights. The spheres of the individual and of society do not simply coincide, although they do overlap. It follows, therefore, that the State may not interfere with rights which belong to the person as a person, and not to the person as a member of society.

In cases where the State is really entitled to interfere with individual rights, for instance, to punish murder or other crimes, that right of interference has to be proved: for the individual is in certain possession of his right. With regard to the argument of the eugenist that in the case of the mentally defective, the common good entitles the State to intrude upon personal natural rights, namely, to destroy the power to use the generative faculty, the very contrary, not to destroy but to protect, seems rather to be the duty of the State. For the protection of such prior rights is the reason for the State's existence.

Besides, the material loss which the whole, that is, the State, must suffer in the case of caring for mental defectives, does not prove of itself the right on the part of the State to apply the only thoroughgoing means that could prevent that loss. These means must first be proved to be morally good or indifferent, or at least to become indifferent or good in view of the loss to which the State would otherwise be subject. But the mere fact of such material loss to the State, and the bare assertion that the application of the only effective means of preventing it must therefore be legitimate, in no way proves that the actual application of the only effective means is good, or at least indifferent, morally.

It is further a wrong and a materialistic principle that the individual may not cause any burden or trouble whatever to the State, as the adversaries argue. The State is looked upon by those persons as an ultimate end in itself: the individual becomes its slave, and is worth only as much as the service he renders the State. That is the State-theory of Bolshevism and Fascism, which in reality derive their principles from the same origin, however diametrically opposed to one another they may appear to be at first sight.

To safeguard our Catholic State-theory, that the State is for the individual and not the individual for the State, we have to distinguish carefully between the true common good and the material goods which the society holds in common. The former, which includes primarily the protection of the inviolable personal natural rights, may never be infringed. Even further, it is precisely the true common good in this sense which requires in individual cases that the material goods held by society in common be sacrificed in the interests of the true common good. For there are burdens and losses in the realm of material goods which have to be borne by the community on behalf of the individual.

III

How does the true meaning of the term " common good " apply to state-sterilization? The law for the Prevention of Hereditarily Diseased Offspring, promulgated by the German Government on 14 July, 1933, runs, in its first paragraph, as follows:

> Whosoever suffers from hereditary disease can be sterilized if, according to the finding of medical science, a great probability exists that his (or her) offspring will suffer from severe bodily or mental hereditary disease.

Under number 2 of the same paragraph, several diseases are mentioned which are to be considered of that nature. Details can be found in the translated text of the law which has been appended to this article.

We have already, in the foregoing section, proved that state-sterilization of the unfit—whether voluntary or compulsory—is immoral, and therefore illegitimate. Why? Because the performance of this operation is an attack not only on the inviolable and inalienable natural rights of the individual, but on the very foundations of the State itself. It is sheer materialism to sacrifice that true common good of the inviolability of human rights merely to save some of the material goods held in common by the community. Above all, if the State were justified in interfering with the inalienable rights of bodily integrity, there would be no essential difference between such interference and the "right" to interfere with the very lives of these innocent people. In either case the State would be exercising an *absolute* dominion over its subjects, in the supposition that the subjects are mere members of the social organism, and not independent personalities in their own right.

In addition, we must observe that the State would manifestly fail in carrying out an essential duty, if it attacked the bodily integrity of an innocent citizen in any way, as by depriving him of the power of procreating offspring, since the possession of the power is not an attack on the State, even in the most remote degree. The exercise of the power, however, is quite another thing.

Having proved the illegitimacy of depriving a person of the generative faculty in this way, there arises a second question, namely, that of the State and Matrimony.

Independently of the State, man has an absolute right to marry, if capable of doing so. This right is given him with his existence, just as he has a right to life, because "individual existence and the institution of the family precede the State, and therefore, though the State may issue regulations with regard to marriage, it has no right to prohibit marriages totally to any man of class of men".[2] But what if a man is incapable of discharging the responsibilities of marriage? "Although man has an absolute right to marry, as he has to life, if he cannot fulfil the duties of the married state, he may rightly be deprived of the exercise of the right to marry, though radically he retains the right."[3]

The two following questions arise and demand an answer.

(1) Is the State allowed to prevent the marriage of a person who has absolutely lost rational control over himself, and if it has this power, by what title does it claim it?

First of all, we have to consider the definition of marriage. Marriage is the lawful contract between man and woman by which is given and accepted the exclusive and perpetual right to those mutual bodily functions which are naturally apt to generate offspring. The primary purpose of the contract is the generation and education of offspring. Now as marriage is a contract, and as " natural law dictates that one who is *non compos*, that is, who has not the actual use of reason, is incapable of a human act and therefore can neither accept nor transfer rights ",[4] it is evident what the solution must be in the case of mental defectives who have entirely lost rational control over themselves. It goes without saying that, although they retain the radical right to marry, if they wish to enter into the marriage-contract, they may rightly be prevented from doing so by the legitimate authority. For they are not able to carry out the primary purpose of marriage, the education of children. The exercise of the absolute right to marry must be determined not only by the acts of the two partners, but also by the result of marital intercourse, namely, the offspring, over whose education the parents have the essential duty to watch. Now if the execution of that duty is rendered impossible by Nature itself, the exercise of the right with which that duty is inseparably associated may be prohibited by the State. Moreover such mental defectives are *ex hypothesi* incapable of entering into a contract; marriage is essentially a contract; consequently their marriage would be invalid according to the natural law. If, therefore, the State has the right to prohibit the exercise of a natural right of its subjects in such cases, it is obviously not because mental defective offspring are likely to result from such a marriage, but because in this case the State urges and gives effect to the natural law.

(2) The second question involves quite a different case: Is the State allowed to prevent mental defectives or otherwise diseased persons who have the actual use of reason, but are likely to procreate mental defectives or otherwise hereditarily diseased offspring—is the State allowed, we must ask, to prohibit *these* persons from marrying? Can the State set up an annulling or prohibitory impediment of marriage?

The fact is that the German Government did so, by issuing the "Law for the Protection of German Blood and Race", promulgated at the Reichstag of Nuremberg, on 15 September, 1935. The first paragraph of this law reads thus:

> Marriages between Jews and subjects with German blood are prohibited; marriages which have been entered into against this law, are null and void, though they may have been entered into abroad, to evade the law.

Another law of that kind was promulgated by the same Government on the 18 October of 1935, namely, the "Law for the Protection of the Hereditary Health of the German People." This law forbids marriages between persons who suffer either (a) from such contagious diseases as are likely to do considerable harm to the health of the partner or the offspring; or (b) from hereditary diseases in the sense of the Law for the Prevention of Hereditarily Diseased Offspring (i.e. the Sterilization Law).

In answering the question as to the legitimacy of such legislation, we must distinguish between baptized and unbaptized persons. Canon 1016 of the *Codex Iuris Canonici* reads as follows:

> The marriage of baptized persons is regulated not only by divine but also by canonical law, the civil power remaining competent in regard to the civil effects of marriage.[5]

It is evident from the history of matrimonial impediments that the Church has never instituted a matrimonial impediment of disease. In cases where persons suffering from serious diseases intend to marry, the principles of the Fifth Commandment concerning the care of health have to be applied. Such persons must investigate whether immediate danger to life and health would arise from their marriage, or whether there are sufficiently grave reasons to compensate the lesser evils, which may then be put up with.

> It is now commonly held that the State has the power to constitute impediments in respect of the unbaptized, provided it do so by laws that are good and reasonable. The reasons given for this opinion are two:
>
> a) Outside the Church, there exists no supreme independent authority except the State. There is need for the unbaptized to be ruled by some external authority, since true, legitimate, and

orderly marriage is essential for the well-being of mankind. The common good, therefore, demands this authority.

b) Several replies and instructions given to missionaries by the Roman Congregation make it abundantly clear that they were of opinion that such authority existed in the State.[6]

What, then, are the circumstances which allow the State to set up annulling or prohibitory matrimonial impediments in respect of the unbaptized. It is exclusively the protection of the common good which authorizes the State to regulate the marriages of these persons.

(1) The " Law for the Protection of German Blood and Race " claims to justify itself by asserting that the mixture of blood of different races adulterates the blood of the pure stock. This mixture, they say, counteracts the ultimate tendency of nature to form and to preserve the distinction of races, and to erect them into a definite hierarchy. The primacy in this hierarchy belongs by nature to the Aryan race ruling over all other races by virtue of " the nobility and purity of the Aryan blood ". Since the typical characteristics are hidden in the radical constituents and in the blood, it is the duty of the Aryan State to protect that blood against all adulteration by intermarriages with other races. The protection of that racial purity, then, is to the Aryan State the supreme good; the supreme evil is, therefore, the contamination of that blood. To doubt or to deny the supremacy of Aryan blood over all other goods is considered to be equivalent to high treason, as being an attack on the foundation of the State itself. The " Faith " of a National Socialist has to be built on this racial world-view (*Völkische Weltanschauung*).[7]

But does such a mixture of blood really violate the true common good? The answer depends on the validity of the fundamental dogma of the National Socialist *Weltanschauung* that the purity of blood and the hierarchical order of races, with the Aryan race holding the primacy, is intended by Nature. Now that dogma is by no means proved. On the contrary, this dogma has been openly rejected by such anthropologists of standing as Eickstedt and Menghin.[8] But with that rejection the foundation of the whole theory crumbles; and with the collapse of this dogma of racial purity as the supreme good, the justification collapses also for seeking it in the interest of the common good. Hence there is no justification for setting up matrimonial impediments (in respect of the unbaptized) on racial purity as the supposed common good. Neither the Congregation for the Propagation of the Faith nor the missionaries have ever declared all marriages among different races to be, as such, against natural law, namely, to be illicit, much less to be null and void. Now and then, nevertheless, cases may arise where it would be morally right to persuade such people not to enter into the proposed marriage. Hence it not infrequently happens that missionaries who have lived among barbaric tribes have set themselves against such inter-marriages.

(2) In issuing " The Law for the Protection of the Hereditary Health of the German People," the National Socialist State again has gone far beyond its power. For the right to marry is given by Nature to all men who are capable of entering into the marriage-contract; consequently this right is in certain possession until the State gives irrefutable evidence of its right to interfere. This, as we have seen, the State cannot do. It goes without saying that in exercising his right to marry, man is bound to take sufficient care of the health of his partner and their common offspring. In doing so he takes care of the common good. But if, after having taken sufficient care and precaution, the couple still run the risk of giving birth to diseased offspring, their right to marry is not thereby annulled. Here again the principles of the Fifth Commandment in regard to the care of health supply the true norm of conduct. That the health of the nation suffers from the maladies of those tainted with hereditary or contagious diseases, and that their offspring imposes on the State the burden of supporting them, cannot be denied. This is simply to say that the State is obliged by its very *raison d'être* to make expenditures of its material goods to protect the inviolable natural rights of its constituents. The Creator, in giving the right to marry to all men capable of it, implicitly gives also the right to the individual here and now to call upon the State to spend its material goods for the very purpose for which it has such goods. And since it is the will of God, the Lord of Nature, that the State should bear this burden, it has no right whatsoever to " protect " its material

goods by curtailing the inviolable natural rights of the individual.

(3) By segregation, mental defectives are practically prevented from exercising their natural right to marry, though the State does not theoretically set up any matrimonial impediments. But what right has the State to segregate these people? Only a few reasons will be given here. For further explanations the reader may consult *Eugenics.*[9] Segregation of mental defectives who suffer from some degree of insanity may be defended on the ground that such segregation defends the mental defectives themselves, and that to leave them at large is not in harmony with public security. But as Fr. Davis says: " Segregation is not defended on the ground that defectives may, if let loose, procreate defective offspring; were it so, it would be a view that is not proved to be true and all such unrealities cannot sustain any rational argument."

Moreover, human nature with its tendencies and passions is entitled to have within the range of the natural law and God's will an outlet for concupiscence. This outlet is carefully provided for by God's will in the state of matrimony. If then the State could encroach upon the natural right to marry, it would prohibit what God Himself permits. Man, hindered by the State from availing himself of this divinely instituted outlet for concupiscence (*remedium concupiscentiae*), will certainly find another and unlawful way to gratify his passions. Thus would be opened an avenue to general promiscuity amongst people who are prevented from entering upon matrimony. The public health and resources, in whose interest the State keeps these people from marrying, would suffer from this promiscuity, and evils far worse than those which would have followed in the normal course of events will ensue upon the very measures taken to avoid them. Venereal diseases, unbridled lust, and sex-mania would spread without check or hindrance. We see quite clearly here that the natural law may not be violated without its taking revenge upon those who violate it.

Finally, if we look at the whole question from the standpoint of Christian revelation, it is evident that those mentally defective children are destined not only for this world, but for the complete fulfilment of their destiny and the reward in the world to come of their earthly sufferings. However crippled and defective they may be in this life, they are destined to partake in an eternal bliss in the home of God, their Father. The very drawbacks, mental or physical, from which they must suffer here below, if borne with Christian patience, will but increase their eternal happiness.

As Christians, then, we must reject the principles which underlie these three Laws, namely, for the Prevention of Hereditarily Diseased Offspring, for the Protection of German Blood and Race, and for the Protection of the Healthy Heredity of the German People.

Why must we reject these principles? First, because they deify the State and sacrifice all individual freedom and the most sacred natural rights to a falsely conceived common good. But their more fundamental error lies in making this frail life on earth the absolute end of mankind; they forget—or rather, by implication deny—the real destiny for which Almighty God in His goodness and love has created man, which is nothing less than the unimaginable beatitude of eternal life with God. "We have not here a lasting city, but seek one that is to come" (Heb. 13: 14).

APPENDIX I.

LAW FOR THE PREVENTION OF HEREDITARILY DISEASED OFFSPRING.

(PROMULGATED, ON 14 JULY, 1933.)

The Government of the German Reich has passed the following law which is promulgated herewith.

P. 1, 1. Whoever suffers from hereditary disease can be sterilized if, according to the finding of medical science, a great probability exists that his (or her) offspring will suffer from severe bodily or mental hereditary disease.

2. An hereditarily diseased person in the sense of the law is one who suffers from one of the following disease:
    a. Innate mental deficiency,
    b. Schizophrenia,
    c. Recurrent (maniac-depressive) insanity,
    d. Hereditary epilepsy,
    e. Hereditary St. Vitus' Dance (Huntingdon's chorea),
    f. Hereditary blindness,
    g. Hereditary deafness,
    h. Severe hereditary bodily deformity,

3. Furthermore a person suffering from severe and chronic alcoholism is liable to be sterilized.

P. 2, 1. A person thus liable to be sterilized is entitled to file a petition. If such a person is incapable of transacting business or is under tutelage on account of mental deficiency or if he is under eighteen years of age, his legal representative is entitled to file a petition in his stead, must first seek the authorization of the Court of Chancery. If the person has come of age and has been placed in the care of a guardian, the latter's consent is required.

2. A certificate required from a medical officer approved by the German Government that the person to be sterilized is fully aware of the consequences of the operation, is to accompany the petition.

3. The petition may be withdrawn.

P. 3. The following persons may also present petitions for sterilization:

a. Medical Officer.

b. Director of hospital, mental institution, nursing home or prison for the inmates of the institution concerned.

P. 4. The petition is to be made out in writing and sent to the offices of the competent Heredity Health Court. The facts supporting the claim are to be certified by medical experts. The Court is obliged to inform the M.O. concerning the petition.

P. 5. The decision rests with the Heredity Health Court within whose jurisdiction the domicile of the person to be sterilized is situated.

P. 6, 1. These Heredity Health Courts form a branch of the district Courts. Each consists of a district judge, a medical officer and another doctor qualified for practice within the German Reich and a specialist in matters of heredity. For each of these members a representative must be appointed.

2. No one who has sought authorization from the Court of Chancery according to P. 2, 1 can be president of an Heredity Health Court. If the M. O. himself has filed the petition with the Heredity Health Court he may not vote in the Court.

P. 7, 1. Proceedings of the Heredity Health Court are not public.

2. It is the duty of the Heredity Health Court to make inquiries. It is authorized to examine the witnesses and experts, to summon the candidate for sterilization, to order his medical examination and in case of unjustifiable absence to apprehend him. The rules of Civil Courts are to be applied to the examination and swearing-in of witnesses and experts as well as to the exclusion of particular judges. Doctors examined as witnesses or as experts are strictly bound to give evidence.

Law Courts, administrative Authorities, hospitals are bound to answer inquiries made by the Heredity Health Courts.

P. 8. The Court must give judgment based on the result of the examination and evidence and according to its own unbiased conviction. The verdict is given after oral consultation and in accordance with the vote of the majority. It must be set down in writing and signed by the voters. The reasons for deciding on or refusing, sterilization must be stated. The verdict must be communicated to the petitioner, the M. O., anad the subject for sterilization, or in the case of his legal inability to file a petition, to his legal representative.

P. 9. The petitioner, the M. O., and the subject for sterilization may appeal in writing to the offices of the comptent Court within one month after the receipt of the verdict. (The period for appeal has been shortened by a change in the law to a fortnight). If the period during which appeal may be made has elapsed, the case may be reopened again in accordance with the rules for civil actions.

P. 10, 1. The higher Heredity Health Court forms part of a higher provincial Court and its competence extends as far as the jurisdiction of the latter. It consists of a member of a higher provincial Court, a M. O., and another doctor qualified for practice within the German Reich and a specialist in matters of heredity. For each of these members a representative must be appointed. Paragraph 6, 2 must be applied here also.

2. The proceedings of the higher Heredity Health Court are ruled by Paragraphs 7 and 8.

P. 11, 1. The surgical operation necessary for sterilization may be carried out only in a hospital and by a doctor qualified for practice within the German Reich. This doctor may not undertake the operation before the verdict has been finally given. The appointment of doctors and hospitals qualified for the performance of the operation is made by the supreme provincial Authorities, within their own territory. The operation may not be carried out by a doctor who filed the petition or took part in the Court as a member thereof.

2. The doctor who performs the operation has to submit to the M. O. a written report as to the carrying out of the sterilization, informing the M. O. of the method used in each particular case.

P. 12, 1. The final verdict of the Court having been given, the Sterilization is to be carried out, even if necessary, against the will of the person to be sterilized, unless this person be the one who also filed the petition. The M. O. has to apply to the police in order that necessary measures be taken. Physical force is admissible should other measures remain insufficient and ineffective.

2. Should circumstances arise which demand re-examination of the case, the Heredity Health Court is required to reconsider the case, in the meantime staying the execution of the sterilization order. Should the petition for sterilization have been refused by the Court, the case may not be re-opened unless new circumstances arise which would justify sterilization.

P. 13, 1. The costs of the action are borne by the state. The costs of the
2. operation by the health insurance companies, in the case of a person insured; in the case of non-insured and indigent persons, by the public welfare department. In all other cases the state defrays the doctor's fees according to the minimum scale set down in official tariffs and the average hospital fees. The remainder has to be paid by the person to be sterilized.

P. 14. Sterilizations performed beyond the prescriptions of this law, as also castrations, may be permitted only when carried out in accordance with sound medical practice, so that serious danger to the life or health of the person to be sterilized or castrated, whose consent must first be obtained, may be avoided. (This paragraph has recently been extended by a subsequent law. " Castration of a male is also allowed with his consent if the M. O. or doctor of the Court consider it to be necessary in order to relieve the person of a perverse sexual impulse which is likely to be the cause of further offences in the sense of PP. 175 to 178, 183, 223 to 226 of the Penal Code.")

P. 15, 1. All persons taking part in the proceedings of the Courts or in the operation of sterilization are bound to professional secrecy.

2. Those guilty of unjust violation of professional secrecy are liable for punishment by imprisonment, not exceeding one year, or by a fine. Prosecution cannot be made except by petition, which petition may also be lodged by the president.

P. 16, 1. The execution of this law is entrusted to the Governments of the German States.

2. The supreme provincial Authorities appoint the seats and areas of jurisdiction of the Courts, notwithstanding the prescriptions of Paragraph 6, 1 Sentence 1, and of Paragraph 10, 1, Sentence 1. They nominate the members of these Courts and their representatives.

P. 17, The Minister of the Interior with the consent of the Minister of Justice issues the judicial and administrative regulations necessary for the execution of this law.

P. 18. This law comes into force on January the first, 1934.

The Chancellor of the Reich,
The Minister of the Interior,
The Minister of Justice.

Some of the regulations provided for in P. 17:

"... If a qualified doctor in the course of his practice should come to know of a person suffering from any hereditary disease or subject to severe and chronic alcoholism, he is required to notify the competent M. O. without delay.

"The same duty is incumbent upon all other persons occupied with therapeutics. In mental institutions the directors and managers are bound to give this information. Those who deliberately or through negligence fail to fulfill this obligation are liable to a fine not exceeding RM 150."

APPENDIX II.

NOTES AND REFERENCES

No. 1. Dr. Cronin, *The Science of Ethics*, Vol. II, p. 461.

2. *Ibid.*, p. 483.

3. Henry Davis, S.J., *State Sterilization of the Unfit.*

4. Henry Davis, S.J., *Moral and Pastoral Theology*, Vol. II, p. 327.

5. Henry Davis, S.J., *op. cit.*, Vol. IV, pp. 74, 75.

6. See also *Codex Juris Canonici*, cc. 1960, 1961.

7. Chief references may be derived from Adolf Hitler, *Mein Kampf* (My Struggle), Vol. I, pp. 314, 317; 359/60, 372; Vol. II, pp. 446-448. See also the text of the law itself.

8. Oswald Menghin, *Geist und Blut* (Mind and Blood), pp. 32-35, 51-52, 63, 92, 94; von Eickstedt, *Rassekunde und Ranengeschichte der Menschheit*, Stuttgart, 1934, pp. 129-131.

"... We must check the tendency to regard any class of living things as finally fixed and incapable of further development; this applies also to the races of mankind. We should remember that, viewed from the standpoint of racial history, the laws of heredity have only an ephemeral importance. ... What we have before our eyes today is, therefore, nothing more than a cross-section through the ever changing flow of the growth-phenomena in the life of races. ..." (translated from the German original.)

9. Henry Davis, S.J., *Eugenics, Aims and Methods.*

Studies and Conferences

Questions, the discussion of which is for the information of the general reader of the Department of Studies and Conferences, are answered in the order in which they reach us. The Editor cannot engage to reply to inquiries by private letter.

A NEW MISSION MOVEMENT.

Rome Speaks.

The Instruction of the Sacred Congregation of Propaganda of 11 February, 1936, was first announced in the Catholic Press by a dispatch of 29 February from Vatican City. The document itself did not reach America until March. The Instruction, first, urges Sisters to be professionally trained for the purpose of rendering medical assistance to women and children in foreign mission countries; and secondly, lays down rules and safeguards for this apostolate.

Priests, who are more familiar than others with the activities usually associated with Sisters, will at once note the innovating character of this decree and, for the practical direction of others, will want to know both the nature of these instructions and their significance for the development of the Church in foreign missions.

In the first place, the decree notes the fact that the Sacred Congregation is accustomed to direct missionary methods " to conform with the varying needs of time and place," and then refers to the urgent request of missionary bishops for better provision for the health of women and children, pointing out in particular the tragic condition of some tribes in Africa which are actually threatened by extinction for lack of proper medical care in childbirth.

The Instruction also takes cognizance of the efforts being made by both governments and non-Catholic missions to solve this problem, and observes that, although Catholics have also begun this work, it is now opportune to regulate and coördinate these activities.

The Sacred Congregation also makes note of the fact that it is acting in accord with the Sacred Congregation of Religious, to which many Sisterhoods are directly subject, and only after having obtained the necessary faculties from the Holy Father himself. Then follow the two chief provisions of the Instruction, namely, ways and means of securing medical mission Sisters and rules for both their professional and religious training.

How Sisters are to be Recruited.

The provision for personnel to engage in this apostolate is twofold: new religious communities of women are to be founded whose specific purpose is to meet the medical needs of women and children in foreign mission lands; and special branches are to be established in existing religious congregations of women for the same work. For the latter, special articles may be appended to their constitutions if these institutes are subject to the Sacred Congregation of Propaganda, whilst the former, the newly-founded institutes, are to be " founded and developed ad normas iuris communis " with the additional safeguards enumerated in the rules which follow.

Rules and Safeguards.

These rules are to govern the new missionary activities of both institutes founded for this purpose as well as the branches to be established in existing congregations of religious women:

" 1. It does not necessarily mean that all the religious themselves must exercise all the various branches of sanitary assistance. They may employ native lay nurses, who have obtained the required certificates, and who will join in the life and spirit of the religious institute.

" 2. No Sister may be obliged by her superiors to assist at obstetrical cases. Only those Sisters should be allowed to engage in this form of missionary work who freely accept it.

" 3. These new duties demand a proper technical and spiritual preparation. The Sisters should obtain certificates as doctors or nurses. Above all, they should be safeguarded and strengthened by special spiritual protections which will be determined by the superiors. The religious must see a noble expression of Christian charity in this delicate service, a charitable work destined to ease bodily misery and to open the way for the graces of the Redemption. It is well to remember the saying of Saint Francis de Sales, that charity safeguards chastity.

"4. The Sisters should attend Catholic universities and hospitals to obtain the required certificates, or if this should be impossible, they ought to acquire their training in medical schools under Catholic teachers. In case they should not find it possible to be trained in Catholic universities or Catholic hospitals, the Sisters may obtain special permission from this sacred congregation to take their courses in hospitals under lay management. The candidates shall attend such institutions in groups of at least two. If necessary, they may wear lay clothes of modest style. They shall live in religious houses where they will have the benefit of every spiritual comfort and protection daily.

"5. In new institutes dedicated principally to the assistance of mothers and infants, the aspirants shall attend the university courses before taking their perpetual vows. In other institutes already existing this principle should be kept in mind and it should be adhered to in so far as the Constitutions allow.

"6. The exercise of medical assistance and surgery by missionaries is to be regulated by Canon 139 and by the indults which this Sacred Congregation usually grants."

SIGNIFICANCE OF THE INSTRUCTION.

Opening the door of opportunity to our Sisters to qualify themselves professionally for the medical care of women and children in foreign mission lands is as much an innovation today in the recognized activities of religious women as was the education of youth, nursing the sick, and care of the aged and poor, outside the cloister, in the seventeenth century when Saint Vincent de Paul founded the first community of non-cloistered Sisters.

When we realize all that our one hundred and twenty-four thousand non-cloistered Sisters are doing to-day in this country alone for the glory of God and the salvation of souls in class rooms, in hospitals, in refuges for every human misery, we get some idea of the boon it was for the Church to have opened up to their consecrated zeal activities outside the cloister. In a similar way, the Instruction of the Sacred Congregation of Propaganda opens up a new development in foreign missions which is destined to have an equally important share in developing Catholic missions. That this is not an exaggerated outlook is shown by the special need and the unique value of these new services.

THE WIDESPREAD NEED.

The need for religious Sisters to minister to the medical needs of women and children in foreign mission lands grows out of the habits and customs of these countries. Everywhere in Asia and Africa women prefer to be treated by women in their medical needs, particularly in obstetrics and gynecology. But in some lands it is more imperative than in others. In China it is not absolutely necessary but highly desirable. In India, where generally speaking a woman may not show her face to a man not of her immediate family, it is essential. In the Moslem Near-East, Egypt and Sudan, it is necessary. In Africa, all the native reticence of women in sickness, especially childbirth, demands women doctors if they are available. There have actually been cases where Indian women preferred to die undelivered rather than be ministered to by qualified men.

But the real tragedy lies in the absence of skilled women to care for women and infants in these lands, and the prevalence of ignorant, superstitious and unsanitary womenfolk doing this delicate and highly scientific work. The wholesale character of the resulting holocaust of human life may be gathered from this fact alone: not one million of India's one hundred and sixty million women receive skilled medical care in sickness.

WHAT IS THE MISSIONARY VALUE OF THIS APOSTOLATE?

I shall let mission Bishops answer that question.

Archbishop Hinsley of Westminster, London, while Apostolic Visitor to Africa wrote: "The great opportunity of the Church lies especially in the rescue of womanhood. . . . Here we have our power. No others, no government, not the sects can wield the heroic might of our vowed and consecrated Sisterhoods. . . . Moreover the heads of our missions recognize the absolute necessity of having a staff of missionaries, particularly of Sisters who can help to stem by skilled care and scientific methods the awful ravages of disease among the African people."

The Most Reverend Timothy Crowley, C.S.C., once professor of English at Notre Dame University and now Bishop of the American Holy Cross Mission to Dacca, India, paints an inspiring picture of the actual results of Medical Mission Sisters in Bengal: "Since then the Gospel cannot be preached to the women of Bengal, nor read by them, it has to be acted out on their behalf. This meritorious apostolate is the peculiar privilege of the Catholic Medical Missionary. In places where no man may enter, she is always welcome. . . . Though the Medical Missionaries have worked in Dacca only a few years, I am confident that there are not four women in the city more respected —venerated is the proper word. Chivalry, as the purdah system bears witness, is not a characteristic trait of the Oriental man. One thing, however, is certain, that not one of the fifty thousand men of Dacca town will fail in courtesy to the Sisters. This was proven in the recent communal looting and rioting in the city. The Sisters, in their rounds of mercy to the sick, moved through the lanes of Dacca unmolested. Though upward of twenty thousand persons, chiefly women, fled to the villages for safety, the Sisters did not miss a call, night or day, during the six weeks' reign of terror. I need not point out what a happy reaction on the work of the mission generally comes from this apostolate of the Sisters to the homes of the sick and afflicted. When men would not listen, even to the words of Christ, He appealed to His works: 'Believe for the work's sake.' Saint Paul says that faith comes by hearing. The great Gift will come to Dacca by seeing, seeing the Gospel enacted by the Sisters in a Christ-like way. 'He went about doing good, healing all manner of diseases.'"

MOVEMENT ORIGINATED IN AMERICA.

Finally, it may be of some interest to American priests to know that this is one apostolate, now budding forth into a world-wide movement in the Catholic Church, not only with the priceless Imprimatur but also with the strong exhortation of the Holy See, which originated in our own country in the special form it is taking, namely, a Sisterhood. On 30 September, 1925, the first community of Sisters, for this specific purpose in the Church, was founded in Washington, D. C., by Dr. Anna

Dengel, one of the first Catholic mission woman doctors, with both the approbation of Archbishop Curley of Baltimore and the coöperation of the Congregation of Holy Cross.

Since 1926 we have had Sister doctors and since 1927 Sister nurses in the field. In 1927 we built our first hospital for women and children, that of the Holy Family, in Rawalpindi, India, the heart of the Mohammedan Punjab. In 1931 we opened up two maternity and child welfare centers in caste-ridden Dacca, Bengal, and in 1932 took over the nursing and the training of nurses in the Municipal Hospital of that city. Here in Washington, in the shadow of the Catholic University and close by Sisters' College, we have our motherhouse and novitiate.

I note these facts to assure the priestly readers of this Review, you who have such a large and responsible part in directing vocations to the religious life, that our Society would appreciate an acquaintance on your part with it and its work.

As far as the Society is concerned, its character is easily enough described in the light of the preceding Instruction of the Sacred Congregation of Propaganda because it is organized for precisely the purpose outlined in that document and already functions according to the rules therein laid down. Indeed, if our Constitutions had been written subsequent to the Instruction, we might be accused of plagiarism.

Although we have twenty-five at the motherhouse preparing for the missions, we could find room for many others and thus be able to answer more fully and more expeditiously the appeals for our Sisters which have come from forty-five different mission Bishops the world over. Thus far we have been able to open houses in only two of these mission fields.

Upon reception at the motherhouse, all candidates begin the two year period of religious formation. Upon completion of this formal religious training, professional studies are begun and completed in recognized medical schools and hospitals, whilst those already medically qualified are sent into the field. To permit the medical members to devote themselves exclusively to their absorbing duties the Society also welcomes non-medical members who perform the other tasks inherent in every community, such as administration, vocational promotion, secretarial and editorial obligations, and the equally important domestic occupations. All members, whether medical or non-medical, have the same rights and privileges in the Society.

We invite priests to visit our humble abode, and advise candidates to come to see us, when that is possible and convenient, before entering the Society. We have nothing of material advantage to offer. Our only luxuries are poverty, cheerfulness, simplicity, work and peace.

MICHAEL A. MATHIS, C.S.C.
Spiritual Director of the Society of
Catholic Medical Missionaries.

Catholic Medical Mission House,
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MAIL ORDER INSURANCE.

To the Editor, THE ECCLESIASTICAL REVIEW.

The sender of this communication wishes to state explicitly that no statement therein refers, directly or indirectly, to mutual insurance companies controlled by and for Catholic priests.

" Common sense in matters medical is rare and is usually in inverse ratio to the degree of education. I suppose, as a body, clergymen are better educated than any other, yet they are notorious supporters of all the nostrums and humbuggery with which the daily and religious papers abound, and I find the further away they have wandered from the decrees of the Council of Trent, the more apt are they to be steeped in thaumathurgic and Galenical superstition." Thus Sir William Osler, in an address at the McGill Medical School, October, 1894. Sir William was neither anti-Catholic nor anti-clerical and his statement is not as uncomplimentary to the clergy as it may seem. Even if priests and ministers are easy marks for the quack and the sharper, it may be because, like doctors and school teachers, they have still some faith in human nature. They may even prefer to take a chance every so often, than to become " hard-boiled ". We suppose that is why so many of them buy " mail order " insurance.

Genuine insurance is a commodity like any other, and its cost, its market price, is stabilized within narrow limits. " Mail order " insurance is sold at rates from 50 to 75 per cent lower than the standard brands of insurance marketed by nationally known firms. Most priests, resident, let us say, in New England, would hesitate to purchase, by mail, from a firm located on the Pacific Coast, an automobile priced at $100.00, a suit of clothes at $10.00, or a pair of shoes at $2.00. Yet there are many who will buy at a basic rate of $3.65, " mail order " insurance contracts for which the standard market price is from $25.00 to $40.00. The mail order companies claim that their low rates are possible because they have no agents. The real reasons apply here as in any other cut-rate business. The price is low because: (1) the merchandise is of poor quality or entirely worthless; (2) the vendor keeps himself outside the jurisdiction of the State Courts; (3) the type of charter under which the mail order company operates is usually the assessment type, requiring little or no paid up capital; (4) there is no local agent whose livelihood and standing in the community depend on a satisfied clientele.

" Mail order " insurance, presented to the public by glamorous advertising is often of poor quality or entirely worthless. One concern advertises that " one cent a day brings *up to* $1000.00 for accidental death, and *up to* $100.00 a month for total disability ". The italics are mine, for few people realize the full significance of these two small words " up to ". Another little phrase is pregnant with meaning to the initiated: " all (the benefits) as clearly stated in the policy ". The bold type on the front page of the policy promises: " $200.00 a month for life " and adds that the contract is " non-cancellable ". But what is promised on page 1, is too often nullified by restrictions, in small type, on page 2. We cite, for the benefit of the unwary, one example from an article by W. Clifford Clenk in the April issue of *Medical Economics*. He mentions a mail order company which pledges itself to pay an accidental death benefit of $1000.00 and a monthly indemnity of $100.00—all for $13.00 yearly. Sales literature speaks of the contract as a " full-coverage, non-cancellable " policy. But the contract itself contains the proviso that the $100.00 monthly disabiilty payment shall not in the aggregate " exceed $1000.00 ". This " non-cancellable " policy therefore automatically cancels itself after ten months of disability payments. Mr. Clenk was not surprised to find on investigation that the " company " in question " has no capital, no surplus, and no assets of any kind ". Several mail order companies offer health insurance contracts at remarkably low cost — about $12.00 per year. Examination of the second page of the policy discloses that the ordinary diseases prevailing in a temperate climate are excluded. While the holder of the policy cannot claim a cent for bronchitis, pneumonia, pleurisy, a dose of the " flu " or an attack of tonsilitis, he enjoys full coverage with respect to yellow fever, malaria, beri-beri, malta fever, ankylostomiasis, leprosy, cassava belly, and chronic salpingitis. For $3.50 per annum, another company offers, according to Mr. Clenk, a death benefit of $1000.00 if you are killed while you are a passenger in a railway car that is wrecked. It is not sufficient that you be wrecked. The car must be wrecked too. Then there are the mail order policies that sell for a cent a day, *payable every quarter*. Make a claim on them in any one quarter, and you will be informed, when your next payment comes due, that you are not " a normal risk " and the policy will not be renewed.

Such companies are allowed to exist because they keep themselves outside the jurisdiction of State laws, by operating without license in every State except the one (carefully chosen for its lax insurance laws), in which they are chartered. Reputable companies do not issue policies in States in which they are not licensed. The mail order racketeers select States like Indiana, Texas, Illinois, and Nebraska in which liberal laws make it a simple matter to secure a charter. *Best's Insurance News*, 1 April, 1935, carries the warning: " There has been a flood of ' bootleg insurance ' in this country, fostered no doubt by the depression in a natural desire of the people to save money. Such insurance only looks cheap. While the premiums are low, the insurance is worthless. Many States which have on their books laws primarily designed for charitable enterprises have become havens for such insurance concerns, which . . . are doing a large business . . . usually on the assessment plan."

The assessment plan! Beware of it! Under an assessment charter the working capital consists almost entirely of the right to levy assessments, without limitation as to frequency or amount on the policy holders whenever " necessary ". The " Company " is, of course, the sole judge of the " necessity ". Legally these companies can enforce payment of the assessments, but in case of difficulty it is easier to close up shop, leaving the " members " holding the bag—empty.

The fact that mail order companies have no agents to pay does certainly save money—for the company. For the policy holder, it means that there is no legal representative of the company with whom he can come to grips when he finds himself defrauded. Reputable firms are represented in every locality by agents who are personally interested in obtaining a square deal for their customers. The " approach " literature of the mail order companies is dripping with unctuous politeness. You are " Dear Reverend Father " and they are your " most obedient servants ". When however you are too ill to read or write and you get a nurse or a friend to notify the " Company ", you receive by return a curt notice that the attached papers (about 50 questions to be answered) are to be " completed and returned immediately ". The unctuous politeness of the sales literature has given place to the brash insolence of the claim department.

It is only fair to state, with Mr. Clenk, that there *are* a few companies of the mail order type whose record is clean. If you *must* buy mail order insurance, have the policy, especially the small type provisions thereof, carefully examined by an expert. (Few priests are experts in insurance.) Better, much better, buy insurance as you would a house or a car. Do not expect good value at "bargain" prices. Select a company of established reputation, registered in your own State, and represented in your own locality, by an agent whose honesty is known to you. He will take personal care of your interests when you are too ill to attend to them yourself. And it is good to remember that while a " Company " has no soul to be damned and no satisfactory *terminum ad quem* for a good swift kick, your local agent has both.

PIERRE DE LA HUNTY.

NOTES ON THE TEACHING OF THE ACTS OF THE APOSTLES. III.

The Church (cf. *Médebielle*: art. Eglise in: Pirot's Supplement to Vigouroux Dictionnaire II, 596-633; bibliography 688/89; *de la Brière*: in Dictionnaire Apologétique⁽⁴⁾ II, 1248-1262). We see in the Acts the gradual growth of the Church out of a handful of disciples in Palestine, mostly Jerusalem, into a body embracing a large number of believers, for the most part of non-Jewish origin, and spread over the different parts of the Roman Empire: from Jerusalem to Rome (cf. 1, 8).

While the Church grows materially, spreading from province to province, there is also another growth of the Church, an internal growth, less conspicuous, so that it will be more easily overlooked by the reader of the Acts, but none the less real. It is this internal growth of the Church that claims our attention in a study of the teaching of the Acts.

The narratives concerning the early Church in Palestine, especially Jerusalem, the first Christian center, show that, in the beginning, there is no absolute cleavage between the disciples of Jesus and the Synagogue. And this state of things continues for a long time in Jerusalem. The followers of Christ are regarded by the Jews as a *αἵρεσις*, a party within Judaism (cf. 24, 5; 28, 2; for the meaning of the word cf. 15, 5: converts from Judaism who had belonged to the Pharisee group are *τινες τῶν ἀπὸ τῆς αἱρέσεως τῶν Φαρισαίων πεπιστευκότες*): they are the party of the Nazarenes (24, 5), those who recognize the expected Messias in Jesus the Nazarene.

The Christians themselves are devout Jews who daily frequent the Temple where they take part in the official worship (2, 46: *καθ' ἡμέραν . . . προσκαοτεροῦντες ὁμοθυμαδὸν ἐν τῷ ἱερῷ* . .; 3, 1, mentions the occasion when Peter and John *ἀνέβαινον εἰς τὸ ἱερὸν ἐπὶ τὴν ὥραν τῆς προσευχῆς τὴν ἐνάτην*, thus about 3 P.M., the time of the afternoon sacrifice; cp. 2, 15: the third hour, about 6 A.M., the time of the morning sacrifice). They had elected the *στοὰ Σολομῶντος* (5, 13), probably the colonnade on the East side of the Temple, as their meeting place (cf. 3, 11). They continue to observe zealously the Law of Moses and the Jewish traditions: thus Peter respected the prescriptions regarding food (10, 14: *οὐδέποτε ἔφαγον πᾶν κοινὸν καὶ ἀκάθαρτον*); the disciples in Jerusalem, apparently unacquainted with the circumstances of the case, found fault with Peter for accepting the hospitality of Gentiles (11, 2); later, former Pharisees converted to the Gospel will insist on the absolute necessity of the circumcision and of the Law (15, 1.5.); later still, on the occasion of St. Paul's last visit to Jerusalem, James and the Presbyters point with pride to the many converts from Judaism who *πάντες ζηλωταὶ τοῦ νόμου ὑπάρχουσιν* (21, 20): they are upset by reports of Paul's "propaganda" against the Mosaic Law among the Jews of the dispersion (21, 21ff). The concern of the heads of the Christian community of Jerusalem shows that the law is still kept strictly among them. It may be noted that the first expression of a freer attitude comes, not from the Apostles, but from Stephen, a Hellenist, whose statements are construed as blasphemies against the Temple and the Law (6, 11-14). Fidelity to the Mosaic Law and to the Jewish forms of religious life, then, was a characteristic of the primitive Christian community in the birth-place of the Gospel and it remained so to the end of the Jewish Commonwealth.

Under such circumstances, we can understand how there would be a certain hesitation, at first, to undertake work among non-Jews. Some expressions might be understood as meaning that the Christian mission concerned only the House of Israel (2, 36; 5, 31). But alongside of such expressions which might be taken as nationalistic, we find, in the early discourses, statements looking forward, more or less distinctly, to the inclusion of non-Jews also: thus (2, 39) the promise is said to be addressed "to you and your children *καὶ πᾶσιν τοῖς εἰς μακράν*, all whomsoever the Lord may call"—, the expression cannot be limited to the Jews of the Dispersion, but foresees the conversion of the Gentiles; so also 3, 25 where *πᾶσαι αἱ πατρίαι τῆς γῆς* are mentioned as the beneficiaries of the promise to Abraham; so again (4, 12), salvation depends on faith in Christ; we have here a statement which cannot be restricted to the Jews alone. And indeed, it must not be forgotten that the Prophets of the Old Testament distinctly foresee the entrance of the Gentile world into the Messianic kingdom not to speak of the words of Christ Himself giving a world mission to His Apostles. In fact, however, the Apostles may not have realized clearly from the beginning the conditions under which the Gentiles were to be received. At least, a vision is needed to make Peter see that the Gentiles are to be received directly (Capp. 10 & 11; 15, 6ff.).

The Apostles seem to limit themselves to Jerusalem and Palestine. It is the persecution connected with the death of Stephen that scatters the Jerusalem community and becomes the occasion of missionary work which will come to include non-Jews (cf. 8, 1): thus in the case of Philip who preaches in Samaria (8, 4ff.), and even baptizes the Ethiopian (8, 26ff.). If, at first, those scattered by the persecution to Phoenicia, Cyprus and Antioch in Syria preach the Gospel to the Jews alone (11, 19), some unnamed disciples venture in Antioch on the bolder step of preaching to non-Jews (Greeks), and apparently do not impose the Jewish observances on their Gentile converts (11, 20). But though the initiative of this missionary work among non-Jews does not come from the Apostles, it receives their approval (8, 14-17; 11, 22-24). Whatever the reasons for their practical attitude, the heads of the Church had no objection to the Gentile mission.

There was thus a close association and connection between early Christianity and Judaism. But it would be wrong to see in the primitive Church nothing but a group of Jewish "sectaries". From the first, the disciples of Christ have the essential attributes of a distinct individuality which will affirm itself more and more clearly in the course of time.

The disciples are bound together by their faith and hope in Jesus, the Messias and the Lord, who is the object of their worship. At an early date, and it would seem, in Palestine itself, the first day of the week, consecrated by His resurrection, becomes especially sacred: it will end by eliminating the Jewish holy day of the Sabbath. They have a special rite of initiation, *Baptism,* which is regularly mentioned as the means of admission into the Church (2, 38.41; 8, 12. 36ff; 9, 18; 10, 47f; 16, 15.33; 18, 8). In the few instances where no mention of Baptism is made, it is recognized that Baptism is understood (4, 4; 6, 7). The rite which implies the use of water (8, 36; 10, 47) is described in several places as administered in the name of Jesus Christ or of the Lord Jesus (2, 38; 8, 16; 10, 48; 19, 51). In the past, a number of Theologians have seen in the words of our text a liturgical formula and justified in various ways a non-Trinitarian formula as valid, in the early days at least. Nowadays many hold that these texts are not meant as reproducing a liturgical formula (for a fine discussion of this subject see: *M de Jonghe*: le Baptême au nom de Jésus d'après les Actes des Apôtres: Ephemerides Theologicae Lovanienses 1933 (Oct., 647-653). This Christian Baptism, with which is associated in some texts the remission of sins (2, 38; 22, 16; Cf. 3, 19; 10, 43; 13, 38; 26, 18) is an essential requirement for admission into the Church: it is necessary, whether the convert be Jew or Gentile; even in such cases as those of Saul and Cornelius, marked by a miraculous intervention of God, Baptism is administered (9, 18; 10, 47-48;). The Christian Baptism is something altogether different from the baptism of John which is regarded as insufficient (19, 1ff;). Finally no long preparation is required: people are baptized without delay when they profess faith in Christ after a discourse (2, 41; 8, 38; 16, 33; 19, 5; cp. also 9, 18; 10, 48 which may be judged differently, since they are accompanied by a miracle). Apparently fuller instruction would follow upon Baptism (cf. 2, 42).

The Christians have further the "*Breaking of the Bread*" (2, 42.46; 20, 7.11) (cp. 1 Cor. 10, 16; 11, 24). Very commonly these texts of the Acts are understood of the celebration of the Holy Eucharist. The description in our Book, however, is very vague, so that it is somewhat difficult to feel really certain of the true interpretation. "Breaking [the] Bread" is not a technical expression which in the Acts would refer, of itself, to the Eucharist. In Cap. 27, 35 the idea of a celebration of the Eucharist is rather definitely excluded: Paul wishes to encourage his fellow-passengers and sets the example by eating (27, 32ff.). In 1 Cor. the context makes the meaning perfectly clear. In the Acts the reference to the Holy Eucharist is not altogether certain. In fact, the Greek Commentators following St. John Chrysostom, do not see the Eucharist in the texts of the Acts. (Cf. *Renié*: l'enseignement doctrinal des Actes des Apôtres: Nouvelle Revue Théologique 1935 March 273 in favour of the Eucharistic interpretation of Acts 2, 42; 20, 7ff; also *Pirot's Supplément to Vigouroux' Dictionnaire* 1, 139-145 s.v. Agape; and ibid. 2, 1171-1182 s.v. Eucharistie; *Batiffol* l'Eucharistie$^{(5)}$ p. 116-121; *id.* Etudes d'histoire et de Théologie positive: I$^{(3)}$

283ff; II(2) 33ff; *Ladeuze*: in: Revue Biblique 1904, 78ff; *Schermann*: in: Biblische Zeitschrift 1910, # 1 + 2; *Espenberger*: in: Theologie und Glaubr: 1910, 550ff; *W. Koch*: in: Biblische Zeitfragen IV (1911) # 10, p 1ff + Reff.; *Wikenhauser*: op. cit. p 173 + Reff.; *Gayford* in Hastings' Diction. of the Bible 1, 428; *Jacquier*: Comment . . . Actes p. CCXVII.)

The disciples of Jesus have, further, the Holy Spirit whose presence among them is a sign of the fulfilment of the Old Testament prophecies (2, 14ff.). "*The gift of the Holy Spirit*" comes in Baptism (2, 38). But there is another rite, apparently reserved to the Apostles, since Philip in Samaria had baptized the people, but not administered the rite (8, 12): the imposition of hands accompanied by prayer is the means of giving the Holy Spirit (8, 15-17; 19, 16)—the early form of *Confirmation.* The first of these narratives (8, 18) implies, the latter (19, 6) states, that the rite that was attended by some external manifestations like those that marked the coming of the Spirit on the day of Pentecost (2, 4ff). One of these outward manifestations was the *speaking in tongues (Glossolaly)*: 2, 4ff; 10, 46; 19, 6. With this mysterious phenomenon of which it is difficult to form a very clear idea, may be compared S. Paul's statements in 1 Cor. 12 & 14. (Cf. *Wikenhauser*: Geschichtswert der Apostelgeschichte . . . 175-176 & Reff.; *Seisenberger*: Kirchliches Hdlex. 1, 884-885 (Charismen); *Nisius*: ibid. 2, 2181 (Sprachengabe); *I. Rohr*: Lex. f. Theologie u. Kirche 2, 838-840.; *E.* Kalt: Bibl. Reallex. 1, 314 f. and 2, 724 ff.; cp. the suggestive article of *Rev. Thos. a Kempis O'Reilly, O.P.*: the Gift of Tongues: What is it? in: Ecclesiastical Review 1910, July, 3-25; also: *Sheppard, O.S.B.*, in: Eccles. Rev. 1910, May, 513/522; *Corluy, S.J.*,; in: *d'Alès: Dictionnaire Apologétique* II, 1810/1819; *Fonck, S.J.*,: in: *Verbum Domini*: 1924 June 163-169. On Confirmation cf. Decree Lamentabili # 44; *Coppens*: Imposition des mains 184-193; 220-243; *id.* in *Pirot's Supplément* 2, 120-153; *Ruch*: Dict. de Théologie 3, 975-1026; *Galtier*: ibid. 7, 1343-1346).

The faithful are grouped together by an *organisation* of their own which contributes to make them more distinct from Judaism.

At the head of the community stand *the Apostles* (cf. *Médebielle* s.v. Apostolat in *Pirot's Supplément* 1, 566-573 + 584).

The Apostles (1, 13) are the immediate disciples of Jesus, chosen by Him personally, qualified by their long association with Him during the Public Ministry to carry out the mission of " His witnesses " assigned to them (1, 2.8.21ff.). Though the Apostles continue to obey the Law as faithful Jews, conscious of the mission given them by Christ, they refuse to be bound by the authority of the heads of the nation and are ready to sacrifice everything to obey the command of God (4, 18ff; 5, 28f).

Jesus Himself had chosen Twelve Apostles. To maintain the original number willed by the Lord, the Apostles deem it necessary to fill the vacancy left by Judas' treason (1, 25: on the expression that Judas went εἰσ τὸν τόπον τὸν ἴδιον cf. *Jacquier* op. cit. 40-41; *Tricot*: in Recherches de Science Religieuse 1925 166 f.; *Boudou* op. cit. 22 f.; *Strack & Billerbeck*: Kom. N. T. aus Talmud u. Midrasch 2, 595 f.). The choice of Judas' successor is left to God or rather, perhaps, to Jesus, by the use of the lots, a method resorted in various forms according to the Old Testament (v. gr. Lev. 16, 8ff; Jos. 7, 16 ff; 1 Sam. 10, 20 f; 14, 40 ff; Prov. 16, 33; for later Judaism cf. Luke 1, 8f. and *Strack-Billerbeck* op. cit. 2, 596 f; *Wettstein* 2, 460f). Matthias being designated, the original number is restored (1, 26; 2, 14; 6, 2;). But later apparently no further attempt is made to keep up the number.

The Apostles are the official witnesses of Christ (4, 33). Their teaching is authoritative (cf. 2, 42) and accredited by God who works miracles through them (2, 43; 5, 12). The outsiders regard them as the leaders of the group of the believers (2, 37; 5, 17f.29.40). In the Church itself they possess the highest authority: they supervise the material organisation of the community (4, 34f.37.; 5, 2; 6, 1ff); doctrinal difficulties are referred to them and settled by them together with the Presbyters (15, 2ff. 22ff.). The missionary work of the Church is under their supervision (8, 14 ff; 11, 1.22).

Among the Twelve, *Peter* stands out as *the leader*: his name heads the list of the Apostles and other similar enumerations; special traditions are preserved about his work and miracles in Palestine; a large section of the narrative is given to the account of his part in the conversion of Cornelius introduced into the Church directly without adopting the Jewish Law (1, 13.15;

2, 14.37f; 3, 1ff; 4, 8.13.19; 5, 15.29; 8, 14ff; 9, 32ff; 10 + 11; 12, 3ff; 15, 7ff).

Under the Apostles and apparently associated with them in the government of the Church, we find in Jerusalem the Πρεσβύτεροι (11, 30; 15, 2ff. 22f.; 16, 4; 21, 18). Nothing is said of the circumstances of their institution or of the nature of their office. S. Luke here evidently supposes his readers acquainted with the institution. The Jerusalem Presbyteri will be the same as the presbyteri whom Paul and Barnabas established when passing through their communities on their return journey from the first mission (14, 23). Another text which also concerns a Pauline community, Ephesus, mentions the Presbyteri (20, 17). Further on in the same discourse, they are described also as Επίσκοποι (20, 28), but this latter expression is not, in the context, a technical term denoting an office. The word is used rather in its ordinary meaning of " overseer " and implies nothing regarding the hierarchical standing of the personages, i.e. it has no reference to their episcopal character. All that may be gathered from these texts, and especially from the Miletus discourse (20, 17ff), is that the Presbyteri held a spiritual office, that their duty was to watch over and to preserve the purity of the Christian faith, and to feed, i.e., to rule the Church (20, 28ff), (cf. v. gr. *Boudou*: p. 312ff, 449ff). Other texts of the N. T. agree with this view of the Presbyteri, but our texts do not enable us to settle clearly the question whether they are the Bishops or the Priests of the later terminology, though it seems to be more generally admitted that they were priests. Cf. for the view that the Ephesus Episkopoi were Priests, *Renié*: art. cit. p. 270, and his reference to *Marchal* in Pirot's Supplément: II 1312-1318; *Prat* in Dictionnaire de Théologie V, 1659; *Michiels* in Dict. Apolog. 1, 1756ff; also with his references, *Lebreton* in Lebreton and Zeiller: L'Eglise Primitive p. 272 f.=vol. I of Histoire de l'Eglise . . . sous la direction de A. Fliche & V. Martin.)

Of itself the title Πρεσβύτερος has no specifically religious connotation. The term is used both in the New Testament and elsewhere in a variety of meanings (older; elder(s); communal officer(s); member(s) of the Sanhedrin; even priest(s) in pagan temples: cf. v. gr. *Moulton & Milligan;* Vocabulary of the Greek

N. T. s.v. Πρεσβύτερος p. 535). Possibly the term was adopted by the Christians in preference to the more technical term ἱερευς because the latter was too closely associated with special forms of Priesthood, Jewish and Pagan, while Πρεσβύτερος was a more neutral word.

According to the view just stated, the Acts would contain no explicit mention of the Episcopate. Many Catholic Authors, however, Ancient and Modern, hold that we have a reference to the Episcopate in 13, 1-3, where they see the episcopal consecration of Paul and Barnabas: the imposition of hands (v. 3) would be a sacramental rite connected with Orders. This supposes Bishops in Antioch, and these are found in the personages, or some of them at least, mentioned in v. 1., outside of Paul and Barnabas of course. All this however is a mere hypothesis without any actual warrant in the text itself. With other Commentators we may more simply understand the scene of c. 13 in the same manner as that of 15, 40. At the beginning of his second missionary journey Paul sets out with Silas who has taken the place of Barnabas, *παραδοθεὶς τῇ χάριτι τόν κυρίου ὑπὸ τῶν ἀδελφῶν.* Similarly in c. 13 we have a solemn commendation of the missionaries by the community of Antioch calling God's grace upon their work. Imposition of hands is not necessarily a sacramental rite (cf. 9, 12.17; 28, 8). It is hardly necessary to note that this explanation of the text is nothing novel: cf. *Le Camus*: L'oeuvre des Apôtres II, 10f; *Dickmann, S.J.*: De Ecclesia I (1925) # 294; *Jacquier*: Comm. 380 f; *Pieper*: Paulus(1) 95ff. (2)(99ff); *Boudou, S.J.*, op. cit. 266f; *Pohle*: Kirchl. Hdlex. I, 1845f.; *H. Lang*: Lex. f. Theol. u. K. IV, 810 f. & reff. *Renié*: art. cit. 273 n. 2. but cp. *Prat, S.J.*, Théologie de St. Paul(10) 1, 49, (4); 11,(2) 324f.; *J. Coppens*: l'imposition des maiss (1925) 131ff. . . .

Besides the Apostles and the Presbyteri, our book mentions in *6, 1-6* the Seven men in whom are seen usually the first *deacons*, though it must be noted that the title is nowhere applied to them in the Acts to designate the office to which they were appointed. The occasion arose out of the peculiar organisation of the primitive community in Jerusalem (see further on for this): 2, 45; 4, 32.34-5, 11. The Hellenists, the Greek-speaking part of the community, complained that their own were neglected in favor of the Hebrews, the Aramaic-speaking part of the community. As the Apostles must devote themselves to their spiritual work (6, 2+4), they propose to choose seven men to whom the material details of the organisation should be left (6, 2.3). Accordingly seven men of high character are chosen (6, 3), who are appointed by the Apostles praying and imposing hands on the candidates (6, 6).

Though chosen in view of a particular, material emergency (on the peculiar phrase διακονεῖν τραπέζαις cf. *Renié* op. cit. 270, n. 3 and *Revue d'histoire Ecclésiastique* 1926, 516), the Seven, or at least those of them of whom we hear in the following account, appear rather in the rôle of spiritual assistants: they preach the word and baptize: thus Stephen 6, 8ff; Philip 8, 4-13+26-40. Philip later in Caesarea is called Evangelist (21, 8), preacher of the Gospel or missionary.

Almost universally, Commentators see in this narrative of the Acts (c. 6), the first institution of the office. However, if we consider the "Western" form of the text of Acts, or even simply the circumstances of the event, there is room for another view of the matter. According to the Western text (see The Beginnings of Christianity . . . *Foakes Jackson & Kirsopp Lake*: Vol. III 1926, ed. by *J. H. Ropes*), the daily distribution of the necessaries had been in the charge of the Hebrews, who, in a place like Jerusalem, will have formed the majority. As the context shows, such a distribution was not made by the Apostles themselves. It will, then, have been left to men appointed to the office: before this, then, there were men entrusted with the distribution, Hebrews, partial to their fellow-Hebrews, who thus caused the complaints of the Hellenists. Hellenists are then chosen to look after their fellow-Hellenists, while the Hebrews, appointed before, but whose appointment is not related in the Acts, but only supposed by the narrative, continue to look after their own. We may note besides that the names of the seven candidates are all Greek, and this may be taken to imply that they were all Hellenists, although evidently the Greek names would not suffice as a proof of their origin. Nevertheless to the extent that the names may be used as an indication of their origin, they point to a Hellenist origin. The choice of Hellenists to look after their own people will be quite natural, if Hebrews were in charge of the service before this, and continue to take care of their own after this. But if a new office is created, to which only Hellenists are appointed, the arrangement, satisfactory to the Hellenists, would not have been to the liking of the Hebrews.

If this is the case, Chapter 6 of the Acts does not record the first institution of the " Deacons ", but simply the institution of the First Hellenist Deacons. St. Luke might have chosen to relate the appointment of the first Hellenists because some of them were to play a prominent part in the subsequent history of the Church (Stephen and Philip), while he had nothing to say of any special part taken by the older group of the Hebrews in the development of the Church.

There is no real argument for saying that St. Luke means to describe here the origin of the " Diaconate ", as if his interest were in relating the origin of Church institutions. That such is not his point of view, appears from the fact that for instance he does not record the origin of the Presbyters. (For this view cf. v. gr. *Lebreton*: Histoire de l'Eglise . . . 1, 155).

(For the view stated above, that Chap. 6 relates the appointment of the first Hellenists, not the institution of the office itself, may be mentioned: *Rose, Belser, Knabenbauer, Leclercq, Viteau, Camerlynck, A. Steinmann* . . . ; among Protestant Authors: *Hilgenfeld, Blass;* for the other generally received view cf. *J. Bilz*: Lex. f. Theol. u. K. 111, 272 and Reff.).

Another question, connected with this chapter of Acts, to which a reference may be made in passing, is the relation of the Office of the Seven men to the Diaconate of the Pastoral Epistles (1 Tim. 3, 8-13). Practically all Catholic Authors hold that the office described in the Acts is the same as that mentioned by St. Paul, therefore the Diaconate. Some few Catholic Authors think that Acts 6 may not mean the Diaconate in the proper sense of the word. Among the arguments advanced for this view, are the following:

> the absence of the term Deacon in this narrative or in references to the Seven men;
>
> the occasion of their appointment, which does not suggest a spiritual office. The men are chosen to assist in the management of the relief fund of the community. True,

Stephen and Philip appear afterwards engaged in spiritual work. But preaching the faith does not necessarily suppose an ecclesiastical office and Orders (cf. 8, 4; 11, 19ff; 18, 24ff.). Nor is baptizing bound up with Orders (cf. Acts 10, 48 where nothing implies the presence of Deacons with Peter);

the appointment was due to local, temporary circumstances of the Jerusalem community;

the imposition of hands does not mean necessarily a sacramental rite. (For this view cf. *A. Steinmann* i.h.l. 1913 ed., p. 46 (1934 ed., p. 64) & Reff.; *Bruders, S.J.*; die Verfassung der Kirche . . . bis zum Jahre 175 n. Chr. 1904 p. 109 n. 1. On this text of Acts cf., beside the Commentaries i.h.l. *Lagrange*: Saint Etienne et son sanctuaire à Jérusalem (1894) 3ff; *Lebreton* op. cit. 139f. & 270.; also the references s.v. Diakon in Kirchl. Hdlex. 1, 1097 f; Theol. u. K. III, 271-274).

Beside the elements of the Hierarchy outlined in the preceding paragraphs, there were in the Early Church some other offices, or rather, since they were not the result of any appointment, but due to action of the Holy Spirit, Charismatic functions (cf. Rom. 12, 6; 1 Cor. 12, 4ff.), χαρίσματα, *special gifts* granted by God to various persons, without the intervention of the Church authorities, to promote the spiritual welfare of the Church. They were not permanent institutions, but transient manifestations of the action of the Spirit. Such are in the Acts the " Prophets " and " Teachers ". Our texts however do not allow us to form a very clear and complete idea of what is meant.

There are *Prophets* in Jerusalem (11, 27) who go down to Antioch in Syria. One of them is Agabus (11, 28) mentioned again later (21, 10) in Caesarea in Palestine on the occasion of Paul's last journey to Jerusalem. Even if the Agabus of 21, 10 is different from the one mentioned in 11, 28, as one might be tempted to infer from the absence of any cross reference (contrast Luke's identification of Philip 11, 8) and from the introduction of Agabus in 21, 10 as an apparently new character (κατῆλθέν τις ἀπὸ τῆς ἰουδαίας προφήτης ὀνόματι Αγαβος), this does not affect our point here: the prophet in these instances foretells future events, a famine, and Paul's captivity. In Antioch of Syria also there are prophets (13, 1), but nothing special is related of them. Two others who had come from Palestine, are mentioned as sent to Antioch from Jerusalem: Judas Barsabbas (15, 22.27), otherwise unknown (cf. *Bruders*: Verfassung . . . 228), and Silas, the companion of St. Paul, whose name therefore appears rather often between 15, 22 and 18, 5 (cf. *Bruders*: op. cit. 234). In their case (15, 32) "prophesying" means comforting and confirming the faithful by their edifying discourses. The former disciples of John the Baptist (19, 1ff) are described as "speaking in tongues and prophesying" (19, 6) after their Christian Baptism: but nothing is said of the character of their prophesying. Women also might enjoy the gift of prophecy, as we learn from the case of the four virgin daughters of Philip (21, 9). From these few indications in the Acts we gather that prophecy was not limited to foretelling the future, but meant also inspired discourses of edifying character. The Epistles of S. Paul speak several times of prophecy as a gift which the Apostle praised highly as conducive to edification (1 Cod. 14 . . . cf. *Bruders*: op. cit. 387 ff.; *Wikenhauser*: Geschichtswert . . : 174; *Pieper*: Paulus (1 *ed.*, 93 ff).

Teachers (Διδάσκαλοι) appear only once in Acts 13, 1, together with Prophets. The construction of the sentence does not allow to say with certainty whether the two titles "Prophets and Teachers" belong to all the persons named or whether some are only prophets and others only teachers (cf. *Pieper*. l. cit.). Evidently there is nothing mutually exclusive in the different gifts of Prophecy, Teaching, etc. The name naturally implies a special gift of teaching, viz. the truths of the Christian faith. This however does not give us a very definite idea of the specific character of this gift (cf. *Bruders*: op. cit. 354). S. Paul's references to the Teachers (1 Cor. 12, 28; Eph. 4, 11f.) do not help very much: all that we may see is that different gifts are meant (1 Cor. 12, 4f.).

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[TO BE CONCLUDED.]

IS CONVALIDATION OF CONVERT'S MARRIAGE NECESSARY?

Qu. In 1917, Bertha, who had previously been baptized in a Protestant church, married John, who had never been baptized. Bertha has recently been converted to the Catholic Church. The question is raised whether their marriage must be convalidated, and, if so, how.

Resp. Before Pentecost 1918 the diriment impediment of disparity of cult rendered the marriage of any baptized person with an unbaptized person invalid in the eyes of the Church. When the Code went into effect, this impediment was restricted to a Catholic (i. e., one baptized in the Catholic Church or one converted to it even if either later apostatized from it) marrying an unbaptized person.

In regard to the marriage of Bertha and John a threefold supposition is possible, and accordingly a different answer will have to be given to the above question.

1. If the investigation made in conformity with the instructions laid down by the Holy Office reveals that Bertha's previous baptism was certainly invalid, the impediment of disparity of cult did not exist between her and John and their marriage was not on this score invalid and so there is no need on this account for convalidating the marriage.

2. If the investigation reveals that Bertha's previous baptism was certainly valid, her marriage to John was certainly invalid from the beginning, and must still be considered invalid. It is true, disparity of cult between her and John ceased to be a diriment impediment when the Code went into effect, but their marriage did not at the same time become valid but needed convalidation.[1] This conviction could not take place except by a renewal of consent with the knowledge that the marriage had been invalid. Since, as is now supposed, Bertha was validly baptized, her marriage could be rectified only by a renewal of consent in conformity with canon 1133; for she is directly bound by this law and her partner indirectly.[2]

It is not at all likely that these two non-Catholics would have recognized the invalidity of their marriage and have renewed their consent. Therefore now that Bertha is a Catholic, the marriage will have to be convalidated. For this purpose it will be necessary first to obtain a dispensation from the diriment impediment of disparity of cult which has revived by Bertha's conversion. Then, since the invalidity of their marriage is public, Bertha, now a Catholic, and John must renew their consent in the canonical form.[3]

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[1] *Vide infra,* footnote 10.

[2] Cf. P. Gasparri, *De Matrimonio* (ed. nova ad mentem C.I.C., Vatican City: Typis Polyglottis Vaticanis, 1932), n. 1193, 3°.

3. If the investigation of Bertha's previous baptism does not disclose its validity or invalidity, but leaves it doubtful, it is not certain that her marriage requires convalidation after her conversion to the Catholic Church; for there is some reason for considering it to have been convalidated already, not indeed by the publication of the Code, but through their persevering matrimonial consent implied in their continued cohabitation. Let us examine this question more closely.

A. Before the Code a doubtful baptism was considered valid as far as marriage was concerned, with the result that a marriage between a doubtfully baptized person and one certainly unbaptized was presumed invalid. In accordance with this rule the marriage between Bertha and John was considered invalid on account of the diriment impediment of disparity of cult at the time it was contracted; and therefore it would appear that after the Code it requires explicit convalidation in the manner laid down by the Code. To appraise fully the force of this objection it is necessary to recall that some canonists consider that presumption not one of ecclesiastical but also of divine law, or, as they style it, a *praesumptio iuris et de iure divino.* Briefly their argument can be stated thus: by baptism everyone baptized becomes subject to the Church; if the validity of the baptism is doubtful, this subjection must not remain doubtful and therefore *by the divine will* even the doubtfully baptized must in reality be subject to the Church, except in so far as the latter exempts them from any of her laws; since she did not formerly exempt them from the diriment impediment of disparity of cult, a marriage such as that between Bertha and John was presumed invalid; and this presumption was so strong that it did not yield even if the supposedly doubtful baptism was later proved to have been invalid. In other words, even if it was established beyond a doubt that the marriage had been contracted by two unbaptized persons (i. e., one invalidly baptized and the other not baptized at all), the formerly presumed invalidity of the marriage by reason of the presumed disparity of cult had to be maintained and the marriage continued invalid.[4] It is undoubtedly correct that that presumption was derived from the divine law since it was based on a dogmatic fact of baptism. Moreover Gasparri asserts that *formerly* both the Holy Office and the Congregation of the Council held so fast to the presumption of an invalid marriage if one party to it was doubtfully baptized and the other was certainly not baptized that, even if the doubtful but presumably valid baptism was proved not to have been conferred at all or to have been certainly invalid, the previous presumption regarding the invalidity of the marriage was upheld.[5] But he also admits that before the Code this position had been given up by the Holy Office and that the above presumption had to yield to the truth, if doubt regarding the baptism was cleared away.[6]

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[3] Canon 1135 § 1. This could have been anticipated by Bertha and John renewing their consent privately before the former was received into the Catholic Church: at that time neither a dispensation from the impediment of disparity (which had ceased to exist from Pentecost 1918) nor the canonical form (which did not bind Bertha before she became a Catholic) would have been necessary. Cf. G. Payen, *De Matrimonio,* (Zi-Ka-wei: Typographia T'ou-sè-wè, 1929), I, n. 848, (2), 20.

If then before the Code the Holy Office presumed a marriage contracted without a dispensation by a doubtfully baptized person and one certainly not baptized invalid on account of the presumed impediment of disparity of cult, only so long as the doubtful baptism was not proved invalid, it clearly did not exempt such a one from the impediment, but neither did it absolutely maintain the impediment.

After the Code, authors raise the question whether the former rule did not yield to that laid down in canon 1070 § 2. This phase of the question must not be misunderstood. The question is not whether the diriment impediment of disparity of cult as laid down in canon 1070 § 1, still binds baptized non-Catholics. Authors are agreed to-day that it does not.[7] The question is; does the presumption set forth in canon 1070 § 2, that the marriage must be presumed valid as long as probably valid baptism presents only a probable impediment, supplant the former presumption also so far as it affects the marriages of non-Catholics contracted before 1918? Those who hold that a doubtful baptism certainly subjects one to the Church, deny it.[8] Others hold that the presumption of the validity of a doubtfully disparate marriage as laid down in canon 1070 § 2 has supplanted the former presumption in regard to marriages between non-Catholics contracted before Pentecost 1918. For the later presumption must be considered superior to the earlier one which must therefore yield to it. Neither does this make the law retroactive. The validity or invalidity of the marriage is based on the law in force when the marriage was contracted, whereas this presumption is merely a means of practically settling a question which cannot be solved by direct evidence.[9]

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[4] Cf. G. Arendt, "Brevis animadversio circa interpretationem doctrinalem § 2^{ae} canonis 1070, Tertium Assertum", *Jus Pontificium,* V (1925), 138-140.

[5] *De Matrimonio* (ed. 1932), n. 576-579.

[6] *De Matrimonio* (ed. 1932), n. 580.

[7] Cf. S. C. S. Off., 21 December, 1924: ". . . Significo Tibi, nomine eiusdem Congregationis, impedimentum hoc, ad normam ipsius Can. 1070 tenere catholicos, non autem acatholicos, nisi hi fuerint baptizati in Ecclesia catholica aut ad eam conversi. Res adeo clara est, ut nullum de ea dubium habere liceat."—*Archiv für katholisches Kirchenrecht,* CV (1925), 202.

According to this latter opinion a marriage contracted by a doubtfully baptized non-Catholic and an unbaptized person before the Code must be presumed valid until the contrary is proved. While not certain this opinion does not lack foundation and can be followed in practice. Hence the marriage of Bertha and John may be presumed valid and therefore convalidation is strictly speaking not necessary.

This same conclusion can be reached by application of canon 1127. The privilege of faith permits solving such a doubt as that of the present case in any manner that is favorable to the convert. If, then, Bertha's previous doubtful baptism rendered her marriage to John in 1917 only doubtful, now that she is converted, she may consider that marriage, in which she desires to remain, valid.

B. Even granting that the presumption set up by the Holy Office before the Code still obtains. So far as marriages contracted before the Code are concerned, another reason will lead to the conclusion that the marriage in question may be presumed valid. This is not to say that it became valid by the promulgation of the Code. It were folly to assert such a thing in the face of the answer of the Pontifical Commission of Interpretation which has declared that marriages of this kind were not convalidated by the promulgation of the Code.[10]

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[8] Cf. Arendt, "Brevis Animadversio . . . Quartum Assertum" *Jus Pontificium,* V (1925), 141-142; A. Vermeersch, "Quaesitum de valido vel invalido matrimonio ob praesumptionem legalem", *Periodica,* XX (1931), 10*-12*, apparently prefers Arendt's view to that of those cited below.

[9] I. Creusen, "De dubio matrimonio ob dubium baptismum", *Periodica,* XVII (1928), 154*-159*; Vermeersch-Creusen, *Epitome Iuris Canonici* (5. ed., Malines: H. Dessain, 1934), II, n. 345, 3, 2°, 3°; F. Vidal, *Ius Canonicum,* (Rome: Gregorian University, 1925), V, n. 270; G. Vromant, *De Matrimonio* (Louvain: Museum Lessianum, 1931), n. 88; F. Triebs, *Praktisches Handbuch des geltenden kanonischen Eherechts,* (Breslau: Ostdeutsche Verlagsanstalt, 1927), p. 329.

The real reason why it can be held that such a marriage is now valid is this: through the promulgation of the Code the diriment impediment of disparity of cult ceased to impede the marriage, and the continuing matrimonial consent of the parties convalidated their marriage. At first blush this would appear to be at variance with canons 1133, 1134 and 1135 § 1: canon 1133 § 1 requires that for the convalidation of an invalid marriage not only the impediment shall have ceased as in the present instance, but also that at least the party aware of the invalidity of the marriage renew his consent; and canon 1134 requires that this renewal of consent be a new act of the will, with the knowledge that the marriage is invalid; and finally canon 1135 § 1 requires that, since the impediment was public, the renewal of consent be made in the prescribed form. This objection is met in the following manner: canon 1133 § 2 expressly states that it is only by ecclesiastical law that a renewal of consent after the parties have come to a knowledge of the invalidity of the marriage is required for its convalidation. Hence those who are not bound by the laws of the Church convalidate their marriage, after the impediment has ceased, by mere continuance of their originally given matrimonial consent, which will be evidenced, for example, by continued cohabitation. Now in the opinion of some a doubtfully baptized person is not bound by merely ecclesiastical laws, because according to canon 15 a doubtful law does not oblige; since Bertha is not certainly bound by the prescription of canon 1134 and John was certainly free from it, their marriage could be convalidated without renewal of consent in the manner prescribed by the Code in virtue of the natural law through the perseverance, at the time the impediment had ceased, of their original matrimonial consent.[11]

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[10] " IV. De Matrimonio.

"7. Quid dicendum de matrimoniis, si quae nulla sint ex capite impedimentorum a novo Codice abrogatorum: fiuntne matrimonia illa valida ipsa promulgatione novi Codicis, vel etiam post dictam promulgationem indigent dispensatione, sanatione, etc.? (Cann. 4, 10).

" Resp.: Negative ad primam partem, affirmative ad secundam."—Pont. Com. ad C. C. auth. interpret., 2-3 Junii 1918—*Acta Apostolicae Sedis,* X (1918), 346.

[11] Gasparri, *De Matrimonio* (ed. 1932), n. 1193, 2°.

Here again canon 1127 may be applied in a similar manner as above, p. 94. If through perseverance of the originally given consent this marriage was probably convalidated after the Code went into effect, then this doubt can be resolved by reason of the privilege of faith in favor of the validity of the marriage.[12] Then Bertha and John will not have to renew their matrimonial consent after the former has become a Catholic.

These conclusions are not certain. In the first place, authors are not agreed that the presumption laid down by the Holy Office before the Code has been superseded by that of canon 1070 § 2, so far as marriages between non-Catholics contracted before Pentecost 1918 are concerned.

Likewise, the opinion of Gasparri that doubtfully baptized persons may be considered free from the law of the Church obliging a renewal of matrimonial consent by a new act of the will for convalidation of an invalid marriage, is by no means certain; for if before the Code the Church did not consider doubtfully baptized non-Catholics free from the impediment of disparity of cult when marrying non-baptized persons, it appears that in the external forum the Church will presume a doubtful baptism valid with all its consequences except for those laws from which all baptized non-Catholics are excused.

These opinions, however, do not lack all probability: they become the basis for arguments which are here carried to their last legitimate conclusions.

If, therefore, every possible certainty of the marriage between Bertha and John, after the former's conversion, is sought, then indeed it will be necessary that they renew their consent by a new act of the will and in the canonical form. But it is not certain that this renewal of consent is necessary; it may, it seems, be omitted. This latter solution will be advisable especially if for any reason it should be foreseen that difficulties may arise if John were requested to renew his matrimonial consent before a priest.

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[12] Vromant, *De Matrimonio,* n. 285, (1); Payen, *De Matrimonio,* I, n. 2415bis, II, (3); L. J. Nau, *Manual on the Marriage Laws of the Code of Canon Law,* (New York—Cincinnati: Fr. Pustet Co., 1933), p. 191; A. Gougnard, *De Matrimonio* (Malines: H. Dessain, 1931), p. 299; A. De Smet, *De Sponsalibus & Matrimonio,* (3. ed., Bruges: C. Beyaert, 1920), n. 343, 2° and p. 300 footnote 3.

Ecclesiastical Library Table

CURRENT BIBLICAL TRENDS.

A considerable amount of recent Biblical activity has concerned itself with textual examination. Careful scrutiny continues on the Beatty Papyri of which mention has already been made in these pages,[1] and articles appear occasionally in the magazines offering conjectures of various kinds, but nothing final has as yet been decided. A new element has now appeared on the horizon with the publication of some hitherto unpublished papyri fragments, which we shall discuss in the course of this article. An archeological discovery which has important bearing on the Old Testament will also be considered. But first it might be well to call attention to a comprehensive article on the Messianic Prophecies which appeared in a recent number of *Biblica*,[2] though it bring us slightly afield from the remaining subjects to be treated.

The article in question, " I beni temporali nelle profezie messianiche ", is by Father A. Meli, and examines the various possible solutions to the problem presented by the material or temporal coloring noticeable in many of the prophecies. The problem consists of the fact that whereas the prophets not infrequently speak in glowing terms of temporal prosperity and preëminence of Israel over the nations, Christ, our Lord, never mentions earthly prosperity as even a possibility. The author lists the three opinions which are currently offered as a solution of the difficulty.

The first opinion considers the material dress as a part of the objective reality of the prophecies, but as a wholly secondary element, provisional and transitory of its very nature, and introduced merely as a pedagogic necessity. National consciousness was so strong, and the prophets so much a part of their nation, that God accepted to a certain extent their way of thinking, in order to propagate the spiritual Messianic hope, without, however, intending to fulfil the material desires of the people. As the spiritual reached its fulfilment, the material clothing was dropped as no longer of value. But as the author points out, such a solution seems to inculcate relative truth and to suggest that God deliberately allowed (if not led) prophet and people to err. No pedagogic necessity could legitimize such activity on the part of God.

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[1] July 1934, pp. 93 ff.

[2] Vol. 16, fasc. 3, 1935, pp. 307-329.

A second solution, favored by Father Meli himself, likewise considers the material element as a part of the objective reality of the Messianic promises, but understands it as conferred only on the condition of fidelity by the people to God's commands. Historically we know that the people proved faithless; hence, since the condition was not fulfilled, the material blessings were denied. This solution is quite in keeping with God's normal treatment of the Chosen People, but one who accepts it must likewise hold that if the people had remained faithful the temporal preëminence of the Jews over all the peoples of the world would have become actual fact. Few would care to go so far.

The third view interprets the material merely as a figure of the spiritual; it is therefore not a formal element, not an object of the Messianic hope. Substantially everything that is mentioned in terms of the material (allowing of course for poetic exaggeration, rhetorical overstatement, and the like) is to be interpreted in terms of the spiritual. This opinion, over and above giving a dangerously wide application to allegorical interpretation, renders Jewish interpretation initially and radically erroneous. Would God have allowed the Synagogue to deceive itself so completely?

The author closes his examination with a favorable inclination toward the second solution, a disinclination to allow the first, and a friendly gesture of openmindedness toward the third. But to the present writer a fourth possibility seems to impose itself because of certain facts which stand out in the gradual unrolling of the Messianic hope.

First of all, in the promise made to Abraham (Gen. XII) the promise of a Redeemer (vv. 1-3) and the promise of temporal habitation in Canaan (v. 7) are given in two separate communications from God, and though later (Ch. XVII) the two are given in one communication, subsequent events hint that the initial separation was deliberate. In the blessing which Jacob gives to his sons, for instance, the separation of the temporal from the spiritual is quite clear (Ch. XLIX): to Juda goes the Messianic sceptre, but to Benjamin goes the temporal prosperity. And when time comes for the establishment of a kingdom, the first king is chosen, not from Juda but from Benjamin. Finally, in Ch. VII of Isaias, temporal favor is definitely removed from the people (vv. 13-25) because of the hypocrisy of Achaz. Obviously, while there is a material element, it is not a constituent part of the Messianic hope. Adding to these indications the fact that the Messias Himself makes no reference even to the loss of temporal prosperity (and one might expect that much recognition of the material blessings if they had ever been a part of the Messianic prophecies), one can scarcely admit either that the material coloring of the prophecies forms an integral part of them, or that it must always be interpreted in a spiritual sense.

Making allowances, as one must in any interpretation, for poetic or rhetorical exaggeration, the present writer thinks it possible to consider the temporal blessings which are linked to the prophecies as at times a sort of conditional concomitant, annexed as an enticing reward for fidelity and a protective shield for the Messianic hope, and at times—particularly, for instance, in the later part of Isaias — as a material dress of a wholly spiritual idea. Hence no fixed a priori rule can be given; only from the context and the surrounding circumstances may we judge whether the coloring is to be interpreted as a strictly material adjunct, or to be translated wholly in terms of the spiritual.

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Two recent publications of papyri fragments help to establish definitely what has been consistently the Catholic opinion on the date of the Fourth Gospel. The first is entitled "Fragments of an unknown Gospel" and was published by the Trustees of the British Museum last year in two separate editions, one a de luxe edition [3] under the editorship of H. Idris Bell and T. C. Skeat, the other a popular edition.[4] The second publication, also of

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[3] "Fragments of an Unknown Gospel, and Other Early Christian Papyri".

[4] "The New Gospel Fragments" (editorship anonymous).

1935, is accurately entitled " Unpublished Fragment of the Fourth Gospel ", and is published by the Manchester University Press, under the editorship of C. H. Roberts.

The Unknown Gospel Fragments consist of two small leaves and an additional fragment, all being a codex (i.e., book) format, and are catalogued as P. Egerton 2. The date of the fragments is placed conservatively at the middle of the second century (140-160 A.D.), and the composition of the material (since it is assumed that the fragments are not the original autograph) may be consigned to a period between 80 A.D. and 120 A.D. Subject-matter common to the fragments and to the Gospels (Synoptics and St. John) refers to the healing of the leper (Mt. 8, 2-4; Mk. 1, 40-44; Lk. 5, 12-14; 18, 14), to a conversation with the rulers of the people (Jno. 5, 39-45; 9, 29), and to the question of the tempters (passim in the Gospels). The general conclusion, given with caution by the first editors, is that the fragments are " indubitably a real Gospel " (p. 30) which, with respect to the Synoptics, represents an independent tradition, and with respect to St. John represents either a source of the latter, or a derivation (with John) from a common third source. The later edition of the fragments modifies this last conclusion, and suggests that either the papyrus and St. John derive from a common source, or P. E. 2 depends on a form of St. John's Gospel earlier than any known text of the same.[5]

However, the publication of the Fragment of the Fourth Gospel gives another setback to such an evaluation of P. 2.[6] The fragment is also of codex format, and reports four verses of the 18th chapter of St. John,—verses 31-33 on one side (recto), and 37-38 on the other (verso). To the satisfaction of the experts who have examined it, the fragment is dated as not later than the earlier half of the second century, earlier than the fragments of the " unknown Gospel ". Two conclusions may be drawn with safety: first, that the fragment is substantially identical with our present critical text; secondly, that the traditional Catholic date of St. John, 85-100 A.D., now has documentary evidence to support it. The latter conclusion is based on the admission that the fragment does not represent the autograph; hence, by allowing thirty years as the interval between the fragment and its autograph (the length of time postulated by experts), the original Gospel could not have been written later than the close of the first century.

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[5] Cf. Lagrange, *Revue Biblique*, July 1935, pp. 321 ff. A short note also appears in the latest issue, April 1936, p. 272, by Fr. P. Benoit. Also: *Journal of Theological Studies*, July 1935, pp. 302 ff.; *Church Quarterly Review*, Oct. 1935, pp. 126 ff.; *Expository Times*, May 1935, pp. 363 ff.

[6] Cf. Boylan, *Irish Ecclesiastical Record*, May 1936, pp. 225 ff. Benoit, *Rev. Bibl.*, April 1936, pp. 269 ff.

A third conclusion affects the value placed upon the so-called unknown Gospel. Any dependence of St. John on the material in P.E.2 is rendered impossible because of the priority of the former. And dependence of both on a common source seems likewise impossible or at least highly improbable, not only because of the Synoptic material in the papyrus, but particularly because the references to St. John in the fragments are admittedly Johannine in style as well as vocabulary. It seems much more likely that the Egerton " Gospel " is nothing more than a kind of Harmony of the Gospels, with some additional " hear-say " material. As such its chief value is as a witness to the vulgarization in far-off Egypt of the Four Gospels at a very early date.

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In the field of Old Testament exegesis, a veritable bombshell has fallen. In the spring of 1929, an archeological expedition under French auspices discovered a number of clay tablets inscribed in cuneiform characters at a site now known to be Ras Shamra. The ruin is about half a mile inland on the coast of northern Syria, and about ten miles north of el-Lâdiqîyeh (ancient Laodacaea), the latter almost due west of the northeastern tip of the island of Cyprus. Excavations have been going on each year since 1929 and the site has not yet been completely explored. But what has already been discovered in the way of a library of religious and mythological literature will have a profound influence on Hebrew lexicography and on Biblical criticism. Articles have been appearing in various magazines,[7] the periodical *Syria* taking the lead; in this publication have appeared the various texts with translations and notes by the foremost scholars of the present day.[8]

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[7] Cf. Dhorme, *Rev. Bibl.* 1931, pp. 32 ff. Friedrich, *Der Alte Orient*, 1933, Band 33 (whole issue). J. W. Jack, " The Ras Shamra Tablets ", 1935 (a monograph). Sir C. Marston, " New Bible Evidence ", New York 1934, pp. 184 ff.

[8] From 1929 to the present,—vols. X-XVI. Articles by various authors.

The tablets are in different languages, one of which is of extreme importance from a Biblical point of view. It has been called by various names,—Proto-Phoenician, Proto-Canaanitic, Proto-Hebrew. Most scholars are inclined toward the first name, though Jean Cantineau [9] and Dr. Friedrich [10] consider the language a hitherto unknown Semitic tongue with affinities to several known ones.

Considerable divergence exists among the experts concerning the precise value of the texts in their relation to the Old Testament. Dr. Albright of Johns Hopkins University, for instance, considers that " the closest parallels and analogies between the North Canaanitic literature (i.e., from Ras Shamra) and the Bible, are with the later books of the Bible, such as Isaiah, Ezechiel, Daniel, and Job ".[11] On the other hand, M. René Dussaud finds that the texts present a severe setback to Higher Criticism, which will require a complete *volte face* in the matter of the evaluation of pre-Mosaic times.[12] Thoughtful examination will eventually prove the latter writer much nearer the truth.

A brief digest of the available material is hereby offered. First of all the people of Ras Shamra originally come from the south, and had relations with the south. Geographical names, familiar to Old Testament readers, are chiefly southern: Ashdod, Kadesh, Negeb, land of Edom, etc. Names here and there may be open to question, but taken in the aggregate, they almost certainly represent a southern tradition.

Secondly, the date assigned to the tablets is of great moment. Though the city may go back as far as 2000 B.C., or even earlier, the texts have as their earliest date —to judge from their position when found—about 1500 B.C. The latest date assignable is about 1200 B.C., when the city was destroyed by a " Sea People ". As a working mean experts have accepted the dates 1400-1365 B.C. These last dates coincide with the arrival of the Hebrews in Canaan, after the forty years wandering in the desert, (accepting the period 1445-1405 as the more probable time of the sojourn in the desert), and the period of Othniel's judgeship over Israel. Hence roughly speaking, the tablets were written during the period covered by the Book of Josue and the first few chapters of Judges.

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[9] *Syria*, XIII, fasc. 2, p. 22.

[10] Op. cit. p. 27.

[11] *Bulletin of the American School of Research*, April 1932, p. 19.

[12] Quoted by Jack, op. cit., p. 7.

Thirdly, there exists a remarkable parallelism between the tablets and the earliest books of the Bible in the matter of technical religious terms. Instances are the identity philologically between the two in the names for the Offering without Blemish, the Peace Offering, Holocaust, and Trespass Offering, and the similarity of temple terms such as Holy of Holies, Table of Gold, "Hasir" (sacred inclosure), ephod, and terraphim. Except for the Ras Shamra tablets, as far as the writer knows, these terms exist nowhere else outside of the Bible.

Finally, some kind of contact is also apparent between the tablets and the later books. For instance there is the curious reference in one of the texts to Leviathan, and the two adjectives "swift" and "crooked" are applied to it in the same way as Isaias applies them to the same noun in chapter 27, 1. The prophet also uses a term, "shebisim", variously interpreted as "cauls" or "networks" (not translated in the Douai version), but not clearly understood (ch. 3, 18). Now, with the help of the tablets, the word is understood to mean a disc of gold or glass, sacred to the goddess Shapash; hence its meaning, in complete accord with the context, is "an idolatrous ornament".

Such is the general trend of the evidence found in the tablets. If we recognize that the people of Ras Shamra were syncretistic in their religious beliefs, a fact abundantly supported by the archeological discoveries, the suspicion immediately arises that they took over some of the religious customs of the Hebrews for their Pantheon just as they selected from other religions. If this be true, we have documentary proof of the antiquity of the Mosaic narrative, and the whole Documentary hypothesis (which is already crumbling) falls to the ground. The famous Document P, or Priestly Code, responsible for laws pertaining to sacrifices, is, according to its supporters of post-exilic origin, nearly a thousand years after the time of the tablets, yet the latter seems to attest to the existence of the same laws in Mosaic times, as Catholic scholarship has consistently asserted.

Two difficulties stand in the way of accepting the conclusion above suggested,—the parallelisms existing between the tablets and prophetical writings, and a proof of contact between the Ras Shamra race and the Israelites of Mosaic times. The evidence available in the case of the first difficulty proves no more than a knowledge on the part of the prophets of idolatrous practices which had crept in among the faithless ones of the nation, and which were the object of ridicule and scorn to the sacred leaders of the people. No doctrinal influence whatever can be detected.

As a solution of the second difficulty we have the contention of R. Dusseau, not a partisan, surely, of the traditional interpretation of the Bible,[13] that there was doubtless a normal traffic route between the Hebrews of the south and the people of the Ras Shamra district even from Patriarchal times. Many indications serve to strengthen this view: evidence from the excavations themselves of intimate connexions between Ras Shamra and Egypt, the finding of an inscription at Beth-shemesh, only twenty miles away from Ashdod, with the same type of alphabetic cuneiform as that used on the recently discovered texts, and the presence of the Israelites for years along a well defined route between the head of the Gulf of Akkabah and Kadesh, which route must certainly have been used by the traders of the north in their periodic expeditions to and from Ophir. Hence we may take for granted that there existed in all probability a definite link between Ras Shamra and the Israelites of Mosaic times. And if one should ask which people borrowed from the other the probability is that the modern nation followed its usual custom of absorbing a new religion, rather than that the Israelites should select one only of the many religions to which the northerners adhered.

In closing this paper, the writer calls attention (for those to whom it may be of interest) to a recent article in the *Revue Apologétique* by Ch. Jean.[14] It is entitled " Le ' Waw ' hebreu et le premier chapitre de la Genese ", and has for its purpose the elucidation of the author's contention that there is no temporal subordination of verse to verse in the Hexaemeron description. His general conclusion, with which the writer is in perfect accord, is that the conjunction ' and ' in Hebrew does not of itself contain such nuances of cause, time, condition, and so forth, with which we are familiar in more developed languages. Such shades of meaning come rather from an appreciation of the context, wherein our finer linguistic sense finds reason for such notions. One might have desired that the author include in his examination of the subject matter, a discussion of the whole form ' wayyomer ', (And—God—said), which many grammarians consider specifically indicative of grammatical subordination. However, we feel certain, from our own personal examination of this form, that his conclusion would not have differed materially from the one attained in his discussion of the conjunction alone. A careful inspection of those texts in which ' wayyomer ' is found, shows that all subordination (when it exists) is derivable only from the context, and is not inherent to the grammatical form. Hence, since no subordination can be proved in the Hexaemeron text apart from the words 'And (God) said ', one may not legitimately suppose such dependence from the wayyomer form.

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[13] Revue de l'histoire des Religions, CVIII, No. 1, p. 28 ff.

[14] Feb. 1936, pp. 156 ff. Also a supplementary note in the March issue, p. 367.

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Book Reviews

CANONICAL EVIDENCE IN MARRIAGE CASES. By the Rev. Francis Wanenmacher, J.C.D. Dolphin Press, Philadelphia. Pp. xxi+412.

Dr. Wanenmacher has presented an excellent work on the subject of evidence in marriage cases. Part One of his work gives a general introduction on the subject of evidence, a few helpful hints on the introductory libellus, the summons, the joinder of issue, and the questioning of the parties.

Part Two takes up the burden of the work, namely, the various kinds of proof and their evaluation. The author gives a sufficiently lengthy and detailed exposition of whatever the judges in ecclesiastical tribunals should know concerning the " probatio ", the source of evidence. Where necessary in the course of Part Two the author clearly and wisely expatiates on important subjects as for instance the admissibility of witnesses, the examination of witnesses, the appraisal of their testimony, the appraisal of expert testimony, interpretation and appraisal of documents, the intricate subject of presumptions, and the appraisal of sworn depositions.

Part Three explains the publication of the proceedings, the conclusion of the trial and the discussion of the evidence. An index of subject matter and one of canons are a most helpful addition to the work.

It is hardly necessary to add any praise to that which the work has already received. The work has been greeted with intercontinental applause. Both the interested reader and the searching student will find the author's treatment of the subject plain, exhaustive, and to the point. Had the author published only the chapter on documents, presumptions, and the oath of the parties, he would deserve the deepest thanks of diocesan courts, of students of procedure, and of all parish priests. Not only these means of proof, but the others also are discussed in masterly fashion. The author evades no difficulty. He faces his task with a sincerity and determination and a canonical learning that are seldom found in a field containing so many thorny problems. Up to the present time no work has appeared since the Code that has covered the whole subject of canonical evidence in marriage cases so well. Nor has any work appeared in recent decades that has so well summarized and so clearly presented the jurisprudence of the Rota. The clear and exact presentation of the decisions of the Rota is the striking feature of Dr. Wanenmacher's work. For a long time the desire has been felt for just such a summarization and exposition of the practical application of Canon Law by the Sacred Rota to marriage cases.

The suggestions or corrections stated in this review are made in a spirit of helpful coöperation. Parts One and Three could be reduced to a few pages and even omitted completely without any harm to the outstanding merits of the work. The abbreviations should be listed in consecutive order. As they are presented in the present work, they are hard to find and cause confusion. The " well known case of G-C." (p. 16) refers no doubt to the Castellane-Gould case. The statement that " full proof of duress was established etc." (pp. 161-162), does not seem to be substantiated by the reference to Rota Decision of 2 April, 1917. The reference to the last sentence of § 304 (p. 186) has been omitted. On page 221 and elsewhere the author seems to attribute obligatory force to the abrogated Rules for the Rota of 4 August, 1910, and of the Apostolic Signature of 6 March, 1912. References in footnote 103 (p. 231) do not seem correct and the Scripture text at the head of Chapter XII seems inappropriate. The author's statement that " in a wider sense a presumption may be established by law in the Code, or subsequent authentic sources " (p. 244) is not substantiated by the Rota decisions as adduced. The cases quoted (p. 245) are governed by pre-Code legislation. The author holds the view that Canon 1972 contains a Praesumptio iuris et de iure. The canonical source study would indicate it to be a prohibition, not a presumption (see A. Coronata, *Institutiones Iuris Canonici* (1933) III, p. 425). The term " matrimonial court " (p. 255) should be " diocesan court ". " Tempore non suspecto " should have been listed in the Index of Subject Matter. In references to American Law, Best, Osborne, Reynolds, and Wigmore should be cited.

THE VALUE OF TESTIMONIAL EVIDENCE IN MATRIMONIAL PROCEDURE. By the Rev. Donald Whalen, M.A., J.C.L. (Dissertation.) The Catholic University of America, Washington, D.C. (1935.) Pp. xiii+297.

Among the topics of procedural legislation one of the most difficult is that concerning testimonial evidence. The theoretical study presents endless problems. The practical application of procedural law concerning witnesses is highly practical.

The work of Dr. Whalen of its very nature appeals to every legal student. The youthful author has in a most admirable way completed a task which called for courage and intensive study of historical details. The work presents an historical synopsis covering the Roman Classical and Justinian Law, the pre-Gratian legislation, the Corpus Iuris Canonici, and the Germanic influence. The commentary part of the opus follows the general outline of the Code of Canon Law in propounding the fundamental notions, the essential rules for testimonial evidence, the examination of witnesses, and the evaluation of testimony. The author's work restricts itself to testimonial evidence in matrimonial procedure. The importance of the work cannot easily be overestimated. Since most of the evidence presented in marriage cases is based on testimony, and since the most extensive chapter in canonical proofs is that on witnesses (Canons 1754-1791) it may be readily understood that Dr. Whalen's work will receive a most hearty welcome from all interested in the presentation and hearing of marriages cases.

The historical synopsis gives in a succinct, but sufficiently comprehensive manner, the important matters in the development of Testimonial Evidence. The student of Canon Law sources under the author's guidance will easily trace the Roman and Germanic influence in this field. He will be especially interested in such detailed matters as the origin of the " Testimonium septimae manus ".

Court officials and all priests interested in presenting marriage cases before the diocesan tribunal will find a careful and thorough exposition of the Canons in the commentary part of this study. The author's scholarly control of sources taken from Rotary jurisprudence has obviously been most helpful in his exegetical exposition. Of especial value is the author's exact analysis of the method to be applied in estimating the force of testimony. This part of his work alone will insure the author a promiment position among the commentators on Procedure.

We would suggest that in the next edition the author take up the question of direct quotation in testimonial evidence. This question is in need of further study, and Dr. Whalen would no doubt be best equipped to give the matter competent attention. We urge this suggestion in the hope that a new edition will soon be forthcoming. From reliable sources it has been learned that the work has been in heavy demand.

FAITH FOR LIFE. By the Rev. James J. Graham. Bruce Publishing Co., Milwaukee. 1936. Pp. xiii+343.

This work has as its purpose to serve as a text book for the senior year of high school. It is a comprehensive review of religion in general. It is informative and interesting for any reader who wishes a glance over the field.

The author has given us a systematic, clear and interesting presentation of the Catholic Faith. The arrangement of matter is such as to make its retention more easy. The expansion and explanation of the answers are especially noteworthy. Examples which are easily transferable to life, give the student something on which to hold, and in transferring them to religion the student can grasp the truth. For instance, in answer to the question whether religion can be a matter of choice (p. 3) the author states: " Gold and steel have nothing to say whether they will make a watch or a ring or a tool. It is the workman who takes these materials and shapes and forms them to serve a purpose: so when God called us out of nothingness into life and gave us powers of body and soul, it was He who willed and determined their purpose and use." Other striking examples in the book bear out well their point, and thus render more lasting the impression and effect on the student. Helpful admonitions for practice are to be found at the end of each chapter.

In regard to the author's use of the marks of the Church, it is customary not so much to say that the Church *should* be one, holy, etc., but rather that the Church *is* one, holy, etc. Generally, the treatment of the matter is solid. The book is especially adapted to bright students, since the treatment is intellectual. There should have been more of an effort to treat the practical social problems of the day. One feels that the author stresses the Faith as a thing to be learned rather than lived. The conclusions, however, at the end of each chapter do tend to impress a living-out of the Faith.

LAWS OF LIFE. By Halliday Sutherland. New York: Sheed & Ward Co. 1936. Pp. 270.

This volume from the manly heart, the keen mind and the facile pen of Dr. Halliday Sutherland should be read (and if one begins it, it will be read with gripping interest) by all the clergy, our teachers, parents, those preparing for marriage and especially by those who are appointed by the vote of the people to be our public servants and lawmakers. The author has given in this neatly arranged volume an impressive and instructive explanation of some of the more fundamental laws of life, those governing its biological, sociological and economic aspects. The reign of the natural laws in the realm of human life as shown in this volume will give added proof to the necessary moral regulations of human conduct expounded and defended by the Catholic Church.

To succeed in writing a correct yet technical treatise on the salient laws explained in this volume of Dr. Sutherland, would be a praiseworthy achievement; to present them as does the author of this volume with such simplicity of terms, such finesse of diction and such a wealth of example most rightfully claims for this volume the highest commendation.

With a logic that is irrefutable and a style that appeals, the author in the seventeen chapters of this work treats such timely and pertinent problems as marriage and its relation to the individual and society in a wide, yes national sense. The first chapter gives the reader an analysis of love, the basic factor of marriage, in its physical and psychical phases, which to date has not been equaled. Dignity and frankness are the outstanding characteristics of this treatment of love and its rôle in married life. The intricacies of the law of conception, the far-flung laws of heredity and the laws ignored by those who advocate birth control and the use of contraceptives are next discussed with frankness and scientific adroitness. The next problem, and it is a serious one, is the so-called "safe period". Its complex nature is clearly and openly explained. The work of Ogino in 1930 in Japan and that of Knaus in 1931 in Austria are competently described in the light of Catholic moral principles.

From marriage to its social and national consequences, the author next turns. He forcefully condemns sterilization. The Malthusian theory, the laws governing population and food supplies are evaluated with due proportion and skill. The laws of fertility and growth receive ample treatment. Modern governments, especially those that are not ready to see that force must be the ready servant of right will not like the fourteenth chapter of this volume. It is entitled "The Next War". The recognition of the laws of reciprocity in business and international trade is concisely explained in the next chapter. The dependency of national life on the fair play and square living of individuals as treated by Dr. Sutherland in his sixteenth chapter will make a lasting impression. Just read his quotation from Polybius as given on pages 258-259 and the problem of national survival will be seen to be an outcome of the observance of the law of Sacrifice by the people of a Nation. His biting yet honest denunciation of Euthanasia in the last chapter gives serious warnings to those who would hope to save Western civilization.

CHURCH PROPERTY AND ITS MANAGEMENT. By Horace A. Frommelt, Professor and Head of the Department of Mechanical Engineering, Marquette University. Milwaukee: The Bruce Publishing Company. Illustrated.

After a Foreword by the Most Reverend Aloysius J. Muench, Bishop of Fargo, N. D., Professor Frommelt explains the urgent need for the competent management of ecclesiastical property, comparing it to that of an industrial enterprise. The meaning of management is defined and its problems are divided arbitrarily into several categories, all of which seem reasonable as normal divisions of subject matter and also as to sequence. Inasmuch as the author undertakes to treat subjects such as power and the characteristics of heating as well as of lighting, the information given is necessarily diffuse but perhaps sufficient for the purposes of the pastor, for whom it is primarily intended.

As the Foreword states, the purpose is not to make an engineer or architect out of the seminarian or priest, but such material as the book affords should make easier the path toward proper management of religious properties. As an annual course of lectures in St. Francis Seminary, Milwaukee, the effort is both novel and daring. Courageous, because the vast technical phases of building construction and the economics of sanitation, refrigeration, bookkeeping, insurance, etc., are described in sufficient detail to warn one of the danger of misunderstanding. The priest's duties are thus extended far beyond the average concept of an ecclesiastical career.

The chief difficulty in such a book is to preserve a balance between the topics discussed, with regard to their relative importance. This has been accomplished quite well, although it seems that the preponderance of information upon the subject of mechanical equipment is too great, and so are the data as to soil conditions and foundations. The directions given regarding the proper maintenance of physical properties, inclusive of mechanical equipment, are so very accurate, comprehensive, however, as to excuse any overstressing. Certainly, even a casual perusal of these chapters devoted to power, sanitation and maintenance of grounds and buildings should stimulate high regard for their importance and scientific backgrounds.

The new problems associated with building enterprise such as radio installation, air conditioning and architectural acoustics are discussed briefly and intelligently. Schools containing cafeteria are well illustrated and many valuable suggestions as to commissary problems are outlined by means of block plans, synopses and authoritative data. Most useful, perhaps, is the presentation of the liturgical requirements of church design. Attention is called, very properly, to the 1933 Lenten Pastoral of the Archbishop of St. Louis. Greater emphasis might well have been laid upon the beauty, soundness and wisdom of those words.

It is to be regretted that certain principles in physics, economics, even the fundamentals of architectural composition were not presented in at least an informal manner. This procedure would have bridged the gap for the priest or the seminarian between what he had covered in college and the task before him.

Professor Frommelt's industry will be rewarded, for the book will aid many administrators toward a better understanding of the very intricate and practical aspects of the management of church property.

Books Received

The Great God. A Course of Sermons on the Divine Attributes. By the Very Reverend Tihamer Toth. Translated by V. G. Agotai; edited by the Reverend Newton Thompson, S.T.D. B. Herder Book Co., St. Louis, Mo. 1936. Pp. 230. Price, $2.00 *net.*

Pie XI et la presse. Documents pontificaux (1922-1936). Par Calixte Boulesteix, Thomas d'Hoste et Louis Meyer. Lettre-préface de S. Em. le cardinal Baudrillart, recteur de l'Institut catholique de Paris. Collection Documentation Catholique. Maison de la Bonne Presse, Paris. 1936. Pp. xvii—334. Prix, 12 *fr.*

Hitler et Rosenberg ou le vrai visage du national-socialisme. Par l'auteur de " Ce qui se passe en Allemagne ". Maison de la Bonne Presse, Paris, France. 1936. Pp. 161. Prix, 5 *fr.*

Religions of Mankind. By Otto Karrer. Translated by E. I. Watkin. Sheed & Ward Inc., New York City. 1936. Pp. ix—291. Price, $3.00.

The Greatest Calling. By the Most Reverend S. Waitz, D.D. Translated by the Reverend Joseph Stang. The Bruce Publishing Co., Milwaukee, Wisconsin. 1936. Pp. 199. Price, $1.50.

The Gracious Years. By M. Pharo Hilliard. St. Anthony Guild Press, Paterson, N. J. 1936. Pp. 121. Price, $1.50.

The Moral Universe. By the Rt. Rev. Monsignor Fulton J. Sheen, Ph.D., D.D., Litt.D., LL.D. The Bruce Publishing Co., Milwaukee, Wisconsin. 1936. Pp. vii—170. Price, $1.50.

Summa Theologiae Moralis. Vols. I and II, Editio altera recognita et emendata. Benedictus Henricus Merkelbach, O.P. Desclée, De Brouwer & Cie, Paris. 1936. Pp. Vol. I, 777; Vol. II, 1029.

Epitome Iuris Canonici. Cum commentariis. A. Vermeersch, S.J. et J. Creusen, S.J. Tomus III. Libri IV et V Codicis iuris canonici. Editio Quinta. H. Dessain, Mechliniae. 1936. Pp. xiv—471. Pretium, Belgas 8.40 *net.*

The Canon Law Digest. Cumulative Supplement—1935-36. By the Rev. T. L. Bouscaren, S.J., S.T.D., Mag. Agg., Professor of Canon Law, St. Mary of the Lake Seminary, Mundelein, Illinois. The Bruce Publishing Co., Milwaukee, Wisconsin. 1936. Pp. vi—96.

In the Likeness of Christ. By the Rev. Edward Leen, C.S.Sp. Sheed & Ward, Inc., New York City. 1936. Pp. xxiv—361. Price, $2.50.

Sheed & Ward Samplers. Extracts from the works of some of the leading Catholic writers. 1—Christopher Dawson. 2—Rt. Rev. Monsignor Fulton J. Sheen. 3—Jacques Maritain. 4—G. K. Chesterton. 5—Ross Hoffman. 6—Alfred Noyes. Sheed & Ward, Inc., New York City. 1936. Pp. 32. Price, 25c. per copy.

Wir Wurden Glücklich. II. Bändchen. Bekenntnisse von deutschen, auslandsdeutschen und auslandischen Konvertiten zur katholischen Kirche in den letzten hundert Jahren. Von Alois Gehlen, S.J. Verlag Ferdinand Schoningh, Paderborn.

Ignatius Loyola. By Robert Harvey, M.A., B.D., D.Th. The Bruce Publishing Co., Milwaukee, Wisconsin. 1936. Pp. 273. Price, $2.25.

What is Life? By the Reverend James F. Cunningham, C. S. P. The Paulist Press, New York City. 1936. Pp. 32. Price, 5c. per copy.

Journey and Journey's End. By the Reverend Walter Sullivan, C.S.P. The Paulist Press, New York City. 1936. Pp. 32. Price, 5c. per copy.

Saint Augustine, Light of Africa. By the Reverend John A. O'Brien, Ph.D., LL.D. The Paulist Press, New York City. 1936. Pp. 31. Price, 5c.